

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74724 of 2018

Arising Out of PS. Case No.-118 Year-2018 Thana- DALSINGHSARAI District- Samastipur

DILIP RAI @ DILIP KUMAR Son of Dayanand Rai Resident of Village-
Bangharo, Police Station- Dalsinghsarai (Ghatho), District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.Sri Satyadev Prasad Singh Yadav

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 21-12-2018 Heard the learned counsel for the parties.

This application for anticipatory bail arises out of Dalsingsarai (Ghatho) P.S. Case No.118 of 2018, disclosing offences under Sections 272,273 of the Indian Penal Code and Sections 30(a),30(d),35(a),35(d),38(i),38(ii) of the Bihar Prohibition and Excise Act, 2016.

Section 76(2) of the Bihar Prohibition and Excise Act, 2016, bars application of Section 438 of the Criminal Procedure Code. Based on the allegation made in the First Information Report, a case under Section 30(a) of the Act is made out, in my opinion.

In that view of the matter, this application cannot be maintained and is accordingly, dismissed.



However, the petitioners are directed to surrender before the Court below within four weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered on its own merit without being prejudiced by rejection of the present application for grant of anticipatory bail by this Court.

(Chakradhari Sharan Singh, J)

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