

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69763 of 2018

Arising Out of PS. Case No.-57 Year-2018 Thana- GOPALPUR District- West Champaran

Shila Devi @ Taruna Devi W/o Sunil Ram Resident of Village-
Ghogha, Harijan Toli, P.S. Gopalpur, Distt.-West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Mukesh Kumar Singh

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

ORAL ORDER

3 19-12-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Gopalpur P.S. Case No. 57 of 2018, disclosing offence under Section 30(a) of 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 petitioner is directed to surrender before



the Court below within four weeks from today and seek regular bail, if so advised. If she does so, her 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)

Pawan/Ragini

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