

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.764 of 2019

Arising Out of PS. Case No.-295 Year-2018 Thana- ARA MUFFSIL District- Bhojpur

Gaddu Yadav @ Guddu Yadav Son of Rama Awtar Yadav alias Rama Awatar
Ram, Resident of Village - Jamira, P.S.- Ara Muffasil, District - Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Singh

For the Opposite Party/s : Mr.Sri Umeshnand Pandit

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

ORAL ORDER

2 25-01-2019 Heard learned counsel for the parties.

The application for anticipatory bail arises out of Ara Muffasil P.S. Case No. 295 of 2018, disclosing the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

On the basis of the prosecution report, I find that Sections 76(2) of the Bihar Prohibition and Excise Act, 2016 bars the exercise of power under Section 438 of the Cr. P.C. for grant of anticipatory bail. In such circumstance, this application cannot be maintained. It is accordingly dismissed.

However, the petitioner is directed to surrender in the court below within four weeks from today and seek regular bail, if so advised. If he does so, the court below shall consider his



prayer for regular bail on its own merit, without being prejudiced by the rejection of the present anticipatory bail application.

(Chakradhari Sharan Singh, J)

HR/-

U		T	
---	--	---	--

