

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12995 of 2019

Arising Out of PS. Case No.-562 Year-2018 Thana- BAGHA District- West Champaran

SIKANDAR YADAV @ SIKANDAR Son of Sri Bindhachal Yadav R/O-
Gandhinagar P.s.- Bagha Distt- W. Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Singh
For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 05-03-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Bagha P.S. Case No. 562 of 2018, disclosing offence under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

Learned counsel appearing on behalf of the petitioner has attempted to convince this Court that since petitioner's name has surfaced on the basis of confessional statement of co-accused recorded at the time of registration of the First Information Report, no offence as against this petitioner can be said to be made out and, therefore, bar under Section 76(2) of the Bihar Prohibition and Excise Act, 2016, shall not apply.

The said submission is not convincing. 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 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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