

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80281 of 2018

Arising Out of PS. Case No.-376 Year-2018 Thana- DAUDNAGAR District- Aurangabad

Brijnandan Singh son of Raju Singh, Resident of Village- Pilchhi, P.S. -
Daudnagar Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Pandey
For the Opposite Party/s : Mr.Sri Madhuranand Jha

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

ORAL ORDER

2 23-01-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Daudnagar P.S. Case No. 376 of 2018, disclosing offences under Section 30(a)© (d) 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 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 seeks 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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