

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29793 of 2019

Arising Out of PS. Case No.-12 Year-2019 Thana- KATORIYA District- Banka

Samresh Kumar Singh @ Samresh Ku. Singh Son of Ashok Kumar Nirala,
Resident of Village-Sanha, Naya Tola, P.S.-Sahebpur Kamal, District-
Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha
For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 17-08-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Katoriya P.S. Case No. 12 of 2019 registered under Sections
30(a)(G) and 32(2) of the Bihar Prohibition and Excise Act,
2016.

Considering that in view of the allegation made in the
FIR, a prima facie case under the Bihar Prohibition and Excise
Act, 2016 is made out, keeping in mind the ratio laid down by
the Full Bench of this Court in Ram Vinay Yadav Vs, State of
Bihar, since reported in 2019(2) PLJR 1089 and sub-section (2)
of Section 76 of the Bihar Prohibition and Excise Act, 2016,
which bars applicability of Section 438 of the Code of Criminal



Procedure, I am not inclined to grant pre-arrest bail to the petitioner.

The application is rejected as not maintainable.

(Ashwani Kumar Singh, J)

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