

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36952 of 2019

Arising Out of PS. Case No.-32 Year-2019 Thana- SIDHWALIYA District- Gopalganj

GAYATRI DEVI Wife of Chhathu Mahato Resident of Village - Bucheya
Mathiya, P.S.- Sidhwalia, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Prasad

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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

ORAL ORDER

2 19-06-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Sidhwalia P.S. Case No. 32 of 2019, disclosing the offence under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018.

The petitioner has criminal antecedent.

In view of bar under Section 76(2) of the Bihar Prohibition and Excise Act, 2016, this application for grant of anticipatory bail cannot be maintained.

Learned counsel for the petitioner has attempted to convince this Court that, based on the allegation made in the FIR, no offence under Section 30(a) of the Act can be said to be made out against this petitioner.



The submission so advanced cannot be accepted, at this stage.

This application 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 she does so, the court below shall consider her 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	
---	--	---	--

