

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52748 of 2019

Arising Out of PS. Case No.-194 Year-2017 Thana- PAHARPUR District- East Champaran

SHEIKH LALBABU @ MD. LALBABU Son of Md. Indu @ Sheikh Iadu
Resident of Village - Khujlah, P.S. - Nautan, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. R.B. Roy 'Raman'

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 23-08-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Paharpur P.S. Case No. 194 of 2017, disclosing offence under Sections 272, 273 of the Indian Penal Code, Sections 30(a), 33, 34, 36 of Bihar Prohibition and Excise Act, 2016, Sections 11(A)(c)(d) of the Transport of Animal Act and Sections 47, 49, 97 of the Animal Prevention of Cruelty Act.

In view of the Full Bench decision of this Court in case of *Ram Vinay Yadav Vs. The State of Bihar*, reported in **2019(2) PLJR 1089 (F.B.)**, and the provisions under Section 76(2) of the Bihar Prohibition and Excise Act, 2016, this application for anticipatory bail cannot be maintained.



This application is accordingly dismissed as not maintainable.

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)

Rajesh/-

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