

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1926 of 2019

Arising Out of PS. Case No.-583 Year-2018 Thana- SIWAN MUFFASIL District- Siwan

Dhananjay Kumar Yadav @ Dhananjay Choudhary, son of Harihar Yadav,
resident of village-Raghu Hata, Police Station-Siwan Muffasil, District-
Siwan.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Respondent/s : Dr. (Mrs.) Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 15-01-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Siwan Muffasil P.S. Case No. 583 of 2018, disclosing offence under Section 30(a) and 41(i) of 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.

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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