

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80272 of 2018

Arising Out of PS. Case No.-242 Year-2018 Thana- GORAUL District- Vaishali

Monu Kumar @ Dhiraj Kumar Son of Kishori Singh, Resident of Village-
Rasulpur Korigoan Rukmanjari, P.S.- Garaul, District- Vaishali.

... .. Petitioner/s

Versus

State Of Bihar and Anr

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Chandra

For the Opposite Party/s : Mr.Smt. Sucheta Yadav

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 Garaul P.S. Case No. 242 of 2018, disclosing offences under Section 30(a) 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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