

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67015 of 2019

Arising Out of PS. Case No.-323 Year-2019 Thana- BELAGANJ District- Gaya

Lalit Paswan @ Dilip Paswan, Son of Sohrai Paswan, Resident of Village -
Gobaraha, P.S.- Belaganj, District- Gaya

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Vinod Kumar, Advocate

For the Opposite Party : Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioner seeks pre-arrest bail in connection with Belaganj P.S. Case No.323 of 2019 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Considering the provisions prescribed in sub-section (2) of Section 76 of the Bihar Prohibition and Excise Act whereby a bar to the application under Section 438 of the Code of Criminal Procedure has been created, since the offence alleged attracts ingredients of the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016, the application is dismissed as not maintainable.

In case, the petitioner surrenders and seeks bail, the



same shall be considered keeping in mind the observations made by this Court in **Ashok Sahani vs. State of Bihar**, since reported in **2017 (3) PLJR 632**.

(Ashwani Kumar Singh, J.)

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