

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80161 of 2018

Arising Out of PS. Case No.-222 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Saran

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Ravi Manjhi Son of Shankar Manjhi, Resident of Mohalla Uttari Dahiyaman
Tola, P.S.- Chapra Town, District- Saran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harsh Anuj
For the Opposite Party/s : Mr. Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 16-01-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Chapra Excise Police Station Case No. 222 of 2018, disclosing offence under Section 30(a) of Bihar Prohibition and Excise Act, 2016 (hereinafter referred to as 'the Act').

On perusal of the First Information Report, in my view, an offence under the provisions of Section 30(a) of the Act is made out.

Learned Counsel appearing on behalf of the petitioner has submitted that his name has surfaced only on the basis of disclosure made by a co-accused, who has been arrested.

Be that as it may, in view of the bar under Section 76



(2) of the Act, this anticipatory bail application cannot be maintained and is, accordingly, dismissed.

However, considering the nature of allegation in the First Information Report, it is directed that if the petitioner, Ravi Manjhi, surrenders before the Court below within four weeks from today and applies for regular bail, his application shall be considered without being prejudiced by the present order of dismissal.

(Chakradhari Sharan Singh, J.)

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