

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66979 of 2019

Arising Out of PS. Case No.-187 Year-2019 Thana- PANCHRUKHI District- Siwan

Chhathi Lal Singh, aged about 38 years, male, Son of Late Sugad Singh
Resident of Village-Gahirwawari, Police Station-Pachrukhi, District-Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ashok Kumar
For the Opposite Party : Mr. Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks pre-arrest bail in connection with
Pachrukhi P. S. Case No.187 of 2019 registered under Sections
272, 273, 308, 34 of the Indian Penal Code and Section 30(a) of
the Bihar Prohibition and Excise Act, 2016.

Considering that the applicability of Section 438 of
the Code of Criminal Procedure has been deleted in relation to
offences committed under the Bihar Prohibition and Excise Act,
2016 vide sub-section-2 of Section-76 of the Act and the
allegations made in the F.I.R. would clearly attract the
ingredients of the cognizable offence under the Act.

The application is rejected as not maintainable.

In case, the petitioner surrenders and seeks bail, the



same shall be considered in the light of the observations made in
Ashok Sahani vs. the State of Bihar since reported in 2017(3)
P.L.J.R. 632.

(Ashwani Kumar Singh, J)

vikash/-

U		T	
---	--	---	--

