

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81443 of 2019

Arising Out of PS. Case No.-30 Year-2013 Thana- GOVERNMENT OFFICIAL COMP.
District- West Champaran

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Rajesh Pasi Son of Vishwanath Pasi @ Vishnath Chaudhary @ Vishwanath Chaudhary Resident of Village- Parsurampur, Kathia Mathia, Police Station- Kangali, District- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Ajeet Kumar Bhardwaj, Advocate
For the Opposite Party : Mrs.Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor appearing on behalf of the State.

The petitioner is apprehending arrest in connection with Excise Case No. 30 of 2013 for offence under Section 47(a)(f) of the Excise Act.

In view of the statutory provisions prescribed under sub-section (2) of Section 76 of the Bihar Prohibition and Excise Act, 2016, the present application for anticipatory bail is not maintainable, and as such, the Court is not inclined to entertain the application.

However, liberty shall be available to the petitioner to surrender before the Court below and pray for regular bail.

If the petitioner surrenders and prays for regular bail,



the Court below is directed to strictly adhere to the principles laid down by this Court in the case of **Ashok Sahani Vs. The State of Bihar, vide order dated 07.07.2017 passed in Cr. Misc. No. 26109 of 2017** and dispose of the application for regular bail filed on behalf of the petitioner on the same day.

With the aforesaid, this anticipatory bail application stands disposed of

(Anil Kumar Upadhyay, J)

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