

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1780 of 2020**

Arising Out of PS. Case No.-396 Year-2019 Thana- RAJAOLI District- Nawada

Mahendra Ram Son of Late Chhotan Ram Resident of Village - Salimpur,  
P.S.- Rajauli, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Devendra Prasad Singh

For the Opposite Party/s : Mr.Anita Kumari

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR  
SRIVASTAVA**

ORAL ORDER

2      28-02-2020                      Heard learned counsel for the petitioner as well as  
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with  
Rajauli P.S. Case No. 396/2019 registered for the offence  
punishable under Sections 30(a) of the Bihar Prohibition and  
Excise Act, 2016.

Taking note of the fact that alleged recovery is said to  
have been made from the house of the petitioner, in my view,  
this anticipatory bail petition is hit by Section 76(2) of the Bihar  
Prohibition and Excise Act, 2016. Accordingly, this anticipatory  
bail petition stands dismissed being not maintainable.

However, petitioner is directed to surrender before the  
court below within six weeks from today and if he does so and  
seeks regular bail, the concerned court shall consider the regular



bail petition of the petitioner on its own merit without being prejudiced by this order.

**(Hemant Kumar Srivastava, J)**

Spd/-

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