

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5906 of 2020

Arising Out of PS. Case No.-360 Year-2019 Thana- SAKRA District- Muzaffarpur

UMESH MAHTO S/o Late Nandlal Mahto R/o village- Vishwakarma
Chowk, Korigama, P.S.- Sakra, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mahendra Thakur
	:	Ms.Rekha Kumari
For the Opposite Party/s	:	Mr.Mritunjay Kumar Nirala (APP)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

9 18-12-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Sakra P.S. Case No. 360 of 2019, disclosing offences punishable under Sections 420, 467 and 468 of the Indian Penal Code and Section 30 (a) of Bihar Prohibition and Excise Act, 2016.

Section 76(2) of the Bihar Prohibition and Excise Act, 2016, bars application of Section 438 of the Criminal Procedure Code. Based on the allegation made in the First Information Report, a case under Section 30(a) of the Act is made out in my opinion.

In that view of the matter, this application cannot be



maintained and is accordingly dismissed.

However, the petitioner is directed to surrender before the Court below within four weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered on its own merit without being prejudiced by rejection of the present application for grant of anticipatory bail by this Court.

(Chakradhari Sharan Singh, J)

AKASH/-

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

