

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22422 of 2020

Arising Out of PS. Case No.-160 Year-2020 Thana- NAUGACHIA District- Bhagalpur

=====

DINKAR CHOUDHARY Son of Late Rambriksha Choudhary Resident of
Village - Harnathchak Makandpur, P.S.- Gopalpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha

For the Opposite Party/s : Mrs.Meena Singh

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 02-11-2020 Heard Mr. Manoj Kumar Jha, learned counsel for the

petitioner and Mrs. Meena Singh, learned Additional Public

Prosecutor for the State.

This application for anticipatory bail arises out of

Naugachia P.S. Case No. 160 of 2020 registered for the offence

punishable under Sections 30(a) and 38(i) of the Bihar

Prohibition and Excise Act.

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	
---	--	---	--

