

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86524 of 2019

Arising Out of PS. Case No.-413 Year-2019 Thana- SAHPUR District- Patna

=====

Kunal Kumar @ Kunal Dom Son of Sunil Ram @ Disco Dom Resident of
Village - Turha Toli , P.S.- Shahpur, Distt.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

=====

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

ORAL ORDER

2 13-02-2020 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Shahpur P.S. Case No. 413 of 2019 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
Act, 2016.

Taking into consideration that said recovery was made
from the house of the petitioner and petition under Section 438
of the Cr.P.C. is not maintainable in the cases lodged under the
provisions of Bihar Prohibition and Excise Act, 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 application of the petitioner on its own merit without being prejudiced by this order.

(Hemant Kumar Srivastava, J)

shahzad/-

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

