

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1312 of 2020

Arising Out of PS. Case No.-184 Year-2019 Thana- GAIGHAT District- Muzaffarpur

Santosh Kumar Son of Baidyanath Ray Resident of Village - Hanuman Nagar,
P.S.- Gaighat, Distt.- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : M/s.Asha Kumari

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

ORAL ORDER

2 24-02-2020 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Gaighat P.S. Case No. 184 of 2019 registered for the offences punishable under Sections 272, 273, 414, 420, 467, 468/34 of the Indian Penal Code and 30(a), 30(c) of Bihar Prohibition and Excise Act, 2018.

Since the recovery is said to have been made from the house of the petitioner, in my view, this petition is hit by Section 76(2) of Bihar Prohibition and Excise Act, 2018 and accordingly, this petition stands dismissed being not maintainable.

However, if petitioner surrenders and seeks regular



bail within six weeks, the concerned court shall consider the regular bail application of the petitioner on its own merit without being prejudiced by this order, particularly, keeping in mind that petitioner is a young boy aged about 22 years and does not have any criminal antecedent.

(Hemant Kumar Srivastava, J)

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