

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86537 of 2019

Arising Out of PS. Case No.-129 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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Umesh Sah Son of Awadh Sah Resident of Village - Kasimpur Ward No.-4,
P.S.- Mufassil (Lakho O.P.), District - Begusarai.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Adv.
For the Opposite Party/s : M/s. Asha Devi, A.P.P.

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**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
Excise Case No. 129C2/19 registered for the offence punishable
under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

Since the recovery is said to be 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
trial court 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)

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