

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17267 of 2020**

Arising Out of PS. Case No.-145 Year-2018 Thana- RAGHUNATHPUR
District- Siwan

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Pappu Yadav Son of Ramesh Yadav Resident of Village-Raghunathpur, P.S.-
Raghunathpur, District-Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party : Mr. J.K. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 03-11-2021

Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 272, 273 and 308 of the Indian Penal Code and Sections 30(A), 38(A) and 41(i) of the Bihar Prohibition and Excise Act, 2016 (hereinafter referred to as 'the Prohibition Act, 2016') registered in connection with Raghunathpur P.S. Case No. 145 of 2018.

3. Having regard to the nature of accusations made, the petitioner has not been able to satisfactorily show that no offence is made out under the Bihar Prohibition and Excise Act, 2016. As such and for the detailed reasons enumerated in my earlier order passed in Cr. Misc. No. 9688 of 2020 (Ghanshyam Ram Vs. State of Bihar), the petition for anticipatory bail is held to be not



maintainable in terms of Section 76(2) of the said Act. The petition stands dismissed.

4. If the petitioner surrenders and seeks regular bail before the learned court below, the same shall be considered on its own merit in accordance with law without being prejudiced by any observation in the present order.

(Vikash Jain, J)

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