

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22976 of 2022

Arising Out of PS. Case No.-18 Year-2022 Thana- BALTHAR District- West Champaran

HEERALAL YADAV SON OF SRI VIDYASAGAR YADAV @ TAYEEL
YADAV R/O VILLAGE- GAURIPUR, P.S.- BALTHAR, DISTRICT- WEST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Pramod Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

6 10-10-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard the learned counsel for the petitioner and

learned APP for the State.

The petitioner apprehends his arrest for the

offences alleged under Section 30(a) of the Bihar Prohibition

and Excise Act, 2016, registered in connection with Balthar

P.S.Case No. 18 of 2022.

Since Section 76(2) of the Bihar Prohibition and

Excise Act, 2016 makes an explicit embargo on entertaining the

application under Section 438 of the Cr.P.C. hence it is not

maintainable.



If the petitioner surrenders and seeks regular bail before the court below, that shall be disposed of without being prejudiced by this order.

With these observations, the application stands disposed of.

Office shall ensure that all the defects are removed by the petitioner within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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