

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47116 of 2021**

Arising Out of PS. Case No.-354 Year-2018 Thana- KUCHAIKOTE District- Gopalganj

GURDEEP SINGH @ BABA GURDEEP SINGH @ GURJANT SINGH
S/O- Late Sohan Singh Resident of village - Guru Tegbahadur Colony, P.S. -
Dhakansu Kalan, District - Patiala, (Panjab).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harendra Prasad

For the Opposite Party/s : Mr. J.N. Thakur, APP.

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

ORAL ORDER

2 17-05-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the

learned APP for the State.

The petitioner apprehends his arrest in connection

with Kuchaikote P.S. Case no. 354 of 2018 registered under

sections 30(a) (b)(c), 38 and 41 of the Bihar Excise Act, 2018.

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.

Since the provision of section 438 of the Cr.P.C is not

applicable in respect of offence under Bihar Prohibition and



Excise Act, 2016, as such, this anticipatory bail application is dismissed as not maintainable.

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

(Nawneet Kumar Pandey, J)

s.hassan/-

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