

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9182 of 2021

Arising Out of PS. Case No.-325 Year-2020 Thana- BAIKUNTHPUR District- Gopalganj

1. MANOJ KUMAR Son of Parma Singh Resident of Village - Khajuhati Daya Giri Tolla, P.S.- Baikunthpur, District - Gopalganj.
2. Harendra Mahto Son of Badshsh Mahto Resident of Village - Khajuhati Daya Giri Tolla, P.S.- Baikunthpur, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr.Mukeshwar Dayal

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

ORAL ORDER

4 21-06-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

None appeared on behalf of the petitioners, despite repeated calls. State is, however, represented.

The present anticipatory bail application has been registered under Section 30(a) of the Bihar Prohibition and Excise, registered in connection with Baikunthpur P.S.Case No. 325 of 2020.

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., the present



application is not maintainable.

The application is accordingly dismissed as not maintainable.

Office shall ensure that all the defects are removed by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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