

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69971 of 2021

Arising Out of PS. Case No.-187 Year-2021 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. URMILA DEVI Wife of Chandeshwar Choudhary Residence of Village - Rupnarayapur Bela, Ward No.- 5, P.S.- Muffasil, Dist.- Samastipur.
 2. Suresh Choudhary Son of Chandeshwar Choudhary Residence of Village - Rupnarayapur Bela, Ward No.- 5, P.S.- Muffasil, Dist.- Samastipur.
 3. Sakti Chaoudhary Son of Chandeshwar Choudhary Residence of Village - Rupnarayapur Bela, Ward No.- 5, P.S.- Muffasil, Dist.- Samastipur.
 4. Raja Choudhary Son of Chandeshwar Choudhary Residence of Village - Rupnarayapur Bela, Ward No.- 5, P.S.- Muffasil, Dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niraj Lochan Jha
For the Opposite Party/s : Mr.Parmanand Kumar

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

ORAL ORDER

2 27-07-2022 The learned counsel for the petitioners is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard the learned counsel for the petitioners and
learned APP for the State.

The petitioners apprehends their arrest for the
offences alleged under Section 30(a) of the Bihar Prohibition
and Excise Act, registered in connection with Samastipur
Muffasil P.S.Case No. 187 of 2021.

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 petitioners are directed to surrender and seek regular bail before the court below, that shall be disposed of on its own merit. The learned court below may take notice of the fact that the petitioners are the persons of clean antecedent.

With these observations, the application is disposed of as not maintainable.

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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