

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34491 of 2019

Arising Out of PS. Case No.-183 Year-2019 Thana- SIWAN CITY District- Siwan

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1. UMESH RAM Son of Rudal Ram Resident of Village- Ram Nagar Satpokhria, P.S.- Siwan Town, District- Siwan.
 2. Rakesh Ram Son of Rudal Ram Resident of Village- Ram Nagar Satpokhria, P.S.- Siwan Town, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 17-08-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Siwan Town P.S. Case No. 183 of 2019, disclosing offence under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

In view of the Full Bench decision of this Court in case of *Ram Vinay Yadav Vs. The State of Bihar*, reported in **2019(2) PLJR 1089 (F.B.)**, and the provisions under Section 76(2) of the Bihar Prohibition and Excise Act, 2016, this application for anticipatory bail cannot be maintained.

This application is accordingly dismissed as not



maintainable.

However, the petitioners are directed to surrender before the Court below within four weeks from today and seek regular bail, if so advised. If they do so, their application for regular bail shall be considered on its own merit without being prejudiced by rejection of the present application for grant of anticipatory bail by this Court.

(Chakradhari Sharan Singh, J)

Rajesh/-

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