

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37588 of 2019

Arising Out of PS. Case No.-27 Year-2018 Thana- GHANSHYAMPUR District- Darbhanga

ARBIND YADAV Son of Shivdev Yadav Resident of Village- Godail, P.S.-
Ghanshyampur, District- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Shailendra Kumar Jha, Advocate
For the Opposite Party : Mr.Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 10-07-2019 This application has been filed by the petitioner for grant of pre-arrest bail in connection with Ghanshyampur (Darbhanga) P. S. Case No. 27 of 2018 registered under Sections 272 and 273 of the Indian Penal Code and Sections 30(a) and 38(1) of the Bihar Prohibition and Excise Act, 2016.

The prayer for grant of pre-arrest bail of the petitioner was earlier rejected by this court on 12.12.2018 in Cr.Misc. No. 64709 of 2018 observing as under :-

“Considering the recovery of huge quantity of illicit liquor from the possession of one Bhagwan Deo Yadav, who disclosed the name of the petitioner as one of the active participants in the alleged offence, I am not inclined to grant him pre-arrest bail.



Accordingly, the application for grant of pre-arrest bail is rejected.”

After rejection of the previous bail application on 12.12.2018, there is no fresh material for reconsideration of grant of pre-arrest bail of the petitioner.

Apart from, what has been observed in my previous order, I must observe that in view of sub-section (2) of Section 76 of the Bihar Prohibition and Excise Act, 2016, an application for grant of pre-arrest bail is not maintainable.

Thus, the application is rejected once again.

(Ashwani Kumar Singh, J)

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