

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39021 of 2019**

Arising Out of PS. Case No.-233 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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SINTU KUMAR Son of Sri Vijay Prasad Resident of Village - Kesapi, P.S.-
Dobhi, District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha
For the Opposite Party/s : Mr.Parmanand Kumar

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 26-06-2019

Heard learned counsel for the parties.

This is an application for grant of anticipatory bail in connection with Excise Case No. 233 of 2019, disclosing offences under Sections 30(a) and 56(kh) of the Bihar Prohibition and Excise Act, 2016 (for short 'the Act of 2016').

In view of Bar under Section 76(2) of the Act of 2016 and the Full Bench decision rendered in the case of **Ram Vinay Yadav Vs. The State of Bihar**, reported in **2019 (2) PLJR 1089**, this application cannot be maintained and is accordingly dismissed.

However, considering the meagre amount of recovery of *Mahua* liquor, it is directed that if the petitioner surrenders in the court below within four weeks from today and seeks regular



bail, the same shall be considered and disposed of on the same day, on its own merit, without being prejudiced by the rejection of the present anticipatory bail application.

(Chakradhari Sharan Singh, J)

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