

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39031 of 2019

Arising Out of PS. Case No.-44 Year-2019 Thana- TEGHRHA District- Begusarai

NEPO CHAUDHARY @ NARESH CHADHARY S/o Late Brahmdeo
Chaudhary R/o village- Pakthaul, Ward No. 06, P.S.- Teghra, District-
Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Prasad

For the Opposite Party/s : Mr.Md. Nazir Ansari

**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 Teghra P.S. Case No. 44 of 2019, disclosing the offence under Section 30(a) 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 allegation that the police recovered only four litre of country-made liquor from near the house of the petitioner, 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, keeping in mind the meagre amount of alcohol allegedly recovered from near the house of the petitioner.

(Chakradhari Sharan Singh, J)

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