

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42592 of 2019

Arising Out of PS. Case No.-116 Year-2019 Thana- SAUR BAZAR District- Saharsa

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RUPESH KUMAR @ RUPESH YADAV Son of Sachchidanand Yadav
Resident of Village - Kanp Tola, Lashminiyan, P.S.- Sour Bazar, Distt -
Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mr.Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 10-07-2019

Heard learned counsel for the parties.

This is an application for grant of anticipatory bail in connection with Sour Bazar P.S. Case No. 116 of 2019, disclosing the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 (for short 'the Act of 2016').

In view of the 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, the petitioner is directed to surrender in the court below within four weeks from today and seek regular bail,



if so advised. If he does so, the court below shall consider his prayer for regular bail on its own merit, without being prejudiced by the rejection of the present anticipatory bail application.

(Chakradhari Sharan Singh, J)

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