

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40086 of 2019

Arising Out of PS. Case No.-125 Year-2019 Thana- SAHEBGANJ District- Muzaffarpur

RAJESH KUMAR RAI Son of Banarasi Ray Resident of Village - Rampur
Khurd, P.S.- Sahebganj, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey

For the State : Dr. Indihar Kumari, APP

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

ORAL ORDER

2 01-07-2019

Heard learned counsel for the parties.

This is an application for grant of anticipatory bail in connection with Sahebganj P.S. Case No. 125 of 2019, disclosing offences under Sections 272 and 273 of the Indian Penal Code and Sections 30(a), 36 and 38(ii) 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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