

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41552 of 2019

Arising Out of PS. Case No.-160 Year-2018 Thana- PATEPUR District- Vaishali

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ALOK KUMAR @ ALOK SINGH S/o Yogi Singh Resident of Village-
Maudah Bezurge, Part-1, P.S.- Patepur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anish Chandra

For the Opposite Party/s : Mr.Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 27-09-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Patepur P.S. Case No. 160 of 2018, disclosing offence under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

I have seen the report submitted by the learned Additional Sessions Judge-II cum Excise Court, Vaishali at Hajipur from which it appears that the motorcycle, which was seized by the police along with illicit liquor, belongs to the petitioner.

In view of the Full Bench decision of this Court in case of *Ram Vinay Yadav Vs. The State of Bihar*, reported in **2019(2) PLJR 1089 (F.B.)**, and the provisions under Section



76(2) of the Bihar Prohibition and Excise Act, 2016, this application for anticipatory bail cannot be maintained.

This application is accordingly dismissed as not maintainable.

However, the petitioner is directed to surrender before the Court below within four weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered on its own merit without being prejudiced by rejection of the present application for grant of anticipatory bail by this Court.

(Chakradhari Sharan Singh, J)

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