

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42590 of 2019

Arising Out of PS. Case No.-483 Year-2018 Thana- BAKHTIYARPUR District- Patna

1. SHIV CHANDRA RAI Son of Jung Bahadur Rai Resident of Village-Chiraiya Bakhtiyarpur, P.S.-Bakhtiyarpur, District-Patna.
2. Arjun Rai Son of Lalit Rai @ Shyam Sundar Rai Resident of Village-Chiraiya Bakhtiyarpur, P.S.-Bakhtiyarpur, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra
For the Opposite Party/s : Mr.Veena Rani Prasad

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 Special Case No. 8900 of 2018, arising out of Bakhtiyarpur P.S. Case No. 483 of 2018, disclosing offences under Sections 30(a), (d) and 32(i) 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 petitioners are directed to surrender in



the court below within four weeks from today and seek regular bail, if so advised. If they do so, the court below shall consider their 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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