

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43157 of 2019

Arising Out of PS. Case No.-88 Year-2019 Thana- PARBATTa District- Khagaria

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1. TINKU YADAV @ TINKU KUMAR YADAV Son of Bhudev Yadav Resident of village- Chhoti Lagar, P.S.- Parbatta, District- Khagaria.
 2. Toni Yadav Son of Bhudev Yadav Resident of village- Chhoti Lagar, P.S.- Parbatta, District- Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh

For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 12-07-2019 Heard learned counsel for the parties.

This is an application for grant of anticipatory bail in connection with Parbatta P.S. Case No. 88 of 2019(G.R.No.773 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 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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