

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43586 of 2019**

Arising Out of PS. Case No.-425 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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SANJAY SINGH S/o Late Dhruv Narayan Singh R/o village- Hawaiadda,
P.S.- Chhatauni, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Ahtasham Ali Khan

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

ORAL ORDER

2 16-07-2019

Heard learned counsel for the parties.

This is an application for grant of anticipatory bail in connection with Excise Case No. 425 of 2019, disclosing the offence 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, in view of the fact that 11.520 litre of foreign liquor was allegedly recovered from the petitioner's shop and there is no description of the shop given in the official



complaint, it is directed that if the petitioner surrenders in the court below within four weeks from today and seeks regular bail, the court below shall consider his prayer for regular bail on its own merit, the same day, without being prejudiced by the rejection of the present anticipatory bail application.

(Chakradhari Sharan Singh, J)

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