

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46772 of 2019

Arising Out of PS. Case No.-120 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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PARMANAND BHAGAT @ PARAMANAND SINGH Son of Late Bhular
Bhagat Resident of Village-Lakshichak, P.S.-Bhore, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Ajay Kumar No. 2

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 29-07-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Excise Case No. 120 of 2019, disclosing offence under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

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 2019application is accordingly dismissed as not maintainable.

However, keeping in view the small quantity of liquor



(8.720 litre) and that the petitioner has no criminal antecedent, it is directed that if petitioner surrenders before the Court below within four weeks from today and seek regular bail, his application for regular bail shall be considered on its own merit on the same day without being prejudiced by rejection of the present application for grant of anticipatory bail by this Court.

(Chakradhari Sharan Singh, J)

Rajesh/-

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