

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43923 of 2019

Arising Out of PS. Case No.-66 Year-2019 Thana- ROHTAS District- Rohtas

BARHMDEO CHAUDHARY @ BRAHMDEO CHAUDHARY Son of Late
Jageshwar Chaudhary Resident of Village - Rasulpur, P.S. and District-
Rohtas

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Kamla Kant Pandey

For the Opposite Party/s : Mr.Rajesh Kumar

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

ORAL ORDER

2 17-07-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises
out of Rohtas P.S. Case No. 66 of 2019, disclosing offence
under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

Allegedly, ten liters of Mahua wine was recovered by
the police.

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, considering the small quantity, if the petitioner surrenders before the Court below within four weeks from today and seeks regular bail, his application for regular bail shall be considered, on the same day, 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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