

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47203 of 2019

Arising Out of PS. Case No.-156 Year-2019 Thana- BAKHARI District- Begusarai

RAJEEV KUMAR @ RAJEEV KUMAR MAHTO Son of Ram Chandra
Mahto Resident of Village- Imadpur, Police Station- Bakhari, District-
Begusarai.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Sucheta Yadav

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

ORAL ORDER

2 30-07-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises
out of Bakhari P.S. Case No. 156 of 2019, disclosing offence
under Section 30(a) of Bihar Prohibition and Excise Act, 2016
and Sections 25(1-b)a, 26/35 of the Arms Act.

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, the petitioner is directed to surrender before



the Court below within four weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered 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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