

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46052 of 2019**

Arising Out of PS. Case No.-18 Year-2019 Thana- GOBARDHANA District- West
Champaran

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RAJA URAW @ RAJA KUMAR URAW @ RAJA KUMAR Son of Saral
Uraw Resident of Village- Dardarwa, P.S.- Gobardhana, District- West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Gupta, Advocate

For the Opposite Party/s : Dr. (Mrs.) Indihar Kumari, APP

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

ORAL ORDER

2 25-07-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises
out of Gobardhana P.S. Case No. 18 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 application is accordingly dismissed as not
maintainable.



However, considering the small quantity of liquor said to have been recovered, it is directed that if the petitioner surrenders before the court below within four weeks from today and applies for regular bail, his application shall be considered and disposed of 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)

Rajesh/-

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