

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.46775 of 2019**

Arising Out of PS. Case No.-75 Year-2019 Thana- KATHAIYA District- Muzaffarpur

AKHILENDRA SINGH @ ANKHIYAN @ AKHILENDRA KUMAR  
SINGH Son of Late Raj Narayan Singh @ Late Raj Nandan Singh Resident  
of Village- Hardi, P.S.- Kathaiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms. Kumari Vandana

For the Opposite Party/s : Mr. Bishweshwar Ram

**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 Kathaiya P.S. Case No. 75 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, keeping in view the small quantity of liquor



(9 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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