

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47617 of 2019

Arising Out of PS. Case No.-65 Year-2019 Thana- PANCHRUKHI District- Siwan

BISHESHWAR SINGH Son of Motilal Singh Resident of Village - Gosai
Chapra, P.S.- Panchrukhi (Sarai O.P.), Distt - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Md. Nazir Ansari

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

ORAL ORDER

2 31-07-2019

Heard learned counsel for the parties.

This is an application for grant of anticipatory bail in connection with Pachrukhi (Sarai O.P.) P.S. Case No. 65 of 2019, disclosing the offence, punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 (for short 'the Act of 2016').

In view of the bar under Section 76(2) of the Act of 2016 and the Full Bench decision rendered in the case of **Ram Vinay Yadav Vs. The State of Bihar**, reported in **2019 (2) PLJR 1089**, this application cannot be maintained and is accordingly dismissed.

However, considering the facts and circumstances of the case, the quantity of liquor seized and absence of any



criminal antecedent, it is directed that if the petitioner surrenders in the court below within four weeks from today and seeks regular bail, the court below shall consider his prayer for regular bail on its own merit, without being prejudiced by the rejection of the present anticipatory bail application.

(Chakradhari Sharan Singh, J)

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