

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51748 of 2019**

Arising Out of PS. Case No.-38 Year-2016 Thana- RAGHOPUR District- Vaishali

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MAGAN RAI @ MADAN RAI Son of Jawahar Rai Resident of Village-
Sukumarpur, Police Station-Raghopur (Rustampur), District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Gauri Shankar Gupta

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

ORAL ORDER

2 20-08-2019

Heard learned counsel for the parties.

This is an application for grant of anticipatory bail
in connection with Raghopur P.S. Case No. 38 of 2016,
disclosing the offence under Section 47(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, the petitioner is directed to surrender in the
court below within four weeks from today and seek regular bail,
if so advised. If he does so, 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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