

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51489 of 2019

Arising Out of PS. Case No.-93 Year-2019 Thana- DURAULI District- Siwan

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1. JAIRAM YADAV Son of Ramdeo Yadav Resident of Village - Siswa Pandey Baldiha, P.S.- Bhaluani, Distt - Deoria (U.P.)
 2. Ratnesh Kumar Tripathi Son of Balibhadar Tripathi Resident of Village - Nandana ward Barhaj Bazar, P.S.- Barhaj, Distt - Deoria, (U.P.)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 19-08-2019 Heard learned counsel for the parties.

This is an application for grant of anticipatory bail in Darauli P.S. Case No. 93 of 2019, disclosing offence under Sections 272,273 of the Indian Penal Code and Sections 30(a) and 38(i) of the Bihar Prohibition and Excise Act, 2016.

The petitioners are driver and owner of a truck. It is alleged that from the said truck 3 liter 200 ml of country made liquor was recovered. When the recovery was made none of the petitioners were present in the truck.

In view of 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.

Considering the small quantity of the liquor alleged to have been seized, it is directed that if the petitioners surrender before the Court below within four weeks from today and seek regular bail, their application for regular bail shall be considered and disposed of on the same day.

(Chakradhari Sharan Singh, J)

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