

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53091 of 2019

Arising Out of PS. Case No.-94 Year-2019 Thana- JANTA BAZAR District- Saran

1. Hari Kishore Singh @ Hari Singh Son of Ramagya Singh Resident of Village - Dhamsar, P.S.- Janta Bazar, District- Saran
2. Bittu Singh Son of Brij Kishore Singh Resident of Village - Dhamsar, P.S.- Janta Bazar, District- Saran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Harish Kumar

For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 26-08-2019 Learned counsel appearing on behalf of the petitioners is permitted to correct father's name of petitioner No.1 in course of the day.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Janta Bazar P.S. Case No. 94 of 2019, disclosing offence under Sections 272 and 273 of the Indian Penal Code and 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, the petitioners are directed to surrender before the Court below within four weeks from today and seek regular bail, if so advised. If they do so, their application for regular bail shall be considered 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)

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