

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53730 of 2019

Arising Out of PS. Case No.-147 Year-2019 Thana- CHARPOKHARI District- Bhojpur

YOGENDRA SINGH @ YOGINDRA SINGH Son of Ram Bachan Singh @
Bachchan Singh Resident of Village-Devdhi, P.S.-Charpokhari, District-
Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anirudh Kumar Singh

For the Opposite Party/s : Mr.Md. Fahimuddin

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

ORAL ORDER

2 30-08-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises
out of Charpokhari P.S. Case No. 147 of 2019, disclosing
offence under Sections 30(a) and 38 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, on perusal of the First Information Report,



it transpires that the petitioner has been implicated on the basis of secret information, which the police are said to have received. Recovery of the illicit liquor is from half constructed house of one Naresh Singh.

Considering the above, it is directed that if the petitioner surrenders before the Court below within four weeks from today and seeks regular bail, his 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, on the same day.

(Chakradhari Sharan Singh, J)

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