

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54399 of 2019

Arising Out of PS. Case No.-419 Year-2017 Thana- BELAGANJ District- Gaya

SUNIL MANJHI Son of hari Manjhi Resident of Village - Ajad Bigha, P.S.-
Belaganj, dist.- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav

For the Opposite Party/s : Mr.Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 02-09-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Belaganj P.S. Case No. 419 of 2017, disclosing offence under 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, considering the fact that small quantity of country made liquor said to have been recovered by the police, 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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