

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.54397 of 2019**

Arising Out of PS. Case No.-118 Year-2019 Thana- KUTUMBA District- Aurangabad

KAMESHWAR RAM S/o Gayani Ram R/o village- Parsavan, P.S.- Amba,  
District- Aurangabad (Bihar)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Sucheta Yadav

**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 Kutumba P.S. Case No. 118 of 2019, 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, the petitioner is directed to surrender before the Court below within four weeks from today and seek regular bail, if so advised. If he does so, 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.

**(Chakradhari Sharan Singh, J)**

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