

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57977 of 2019

Arising Out of PS. Case No.-50 Year-2019 Thana- SALAIYA District- Aurangabad

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1. BASANT YADAV @ BASANT KUMAR YADAV Son of Jai Prakash Yadav Resident of Village - Mahulan, P.S.- Salaiya, District - Aurangabad.
 2. Sanjeev Yadav @ Sanjeev Kumar Yadav Son of Jai Prakash Yadav Resident of Village - Mahulan, P.S.- Salaiya, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Digvijay Narayan Singh

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 13-09-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application for anticipatory bail arises out of Salaiya P.S. Case No. 50 of 2019, disclosing the offence under Section 30 (a) of the Bihar Prohibition & Excise Act, 2018.

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, 2019, this application for anticipatory bail cannot be maintained.

This application is accordingly dismissed as not maintainable.



However, 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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