

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.69939 of 2019**

Arising Out of PS. Case No.-357 Year-2019 Thana- MOTIPUR District- Muzaffarpur

Ashok Sah, Son of Mahabir Sah, Resident of Village-Jagdishpur, Kunsahi,  
P.S.-Motipur, District-Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr. Pawan Kumar Singh, Advocate  
For the Opposite Party : Mrs. Veena Rani Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**  
**ORAL ORDER**

2      11-12-2019                      Heard learned counsel for the petitioner and  
  
learned counsel for the State.

The petitioner seeks pre-arrest bail in connection with Motipur P.S. Case No.357 of 2019 registered for the offences punishable under Sections 272, 273 of the Indian Penal Code, Sections 30(a) and 41(i)(2) of the Bihar Prohibition and Excise (Amended) Act, 2018 (for short 'the Act').

In view of express bar created under sub-section (2) of Section 76 of the Act and the ratio laid down by the Full Bench in the matter of **Ram Vinay Yadav vs. State of Bihar [2019 (2) PLJR 1089]**, since the allegations made do attract the ingredients of an offence punishable under Sections 30(a) and 41(i)(2) of the Act, the application for grant of pre-arrest bail to the petitioner is not maintainable.



Accordingly, the application is dismissed as not maintainable.

**(Ashwani Kumar Singh, J.)**

Sanjeet/-

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