

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68262 of 2019

Arising Out of PS. Case No.-421 Year-2019 Thana- SITAMARHI District- Sitamarhi

SUBODH KUMAR MISHRA Son of Late Manoranjan Singh Resident of
Village - Shankarpur, P.S.- Bhargama, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Babita Kumari

For the Opposite Party/s : Mr. Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 17-12-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for anticipatory bail arises out of Sitamarhi P.S. Case No. 421 of 2019, disclosing the offences under Sections 406, 409, 420 of the Indian Penal Code and Section 48 of the Bihar Excise and Prohibition Act.

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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