

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.76940 of 2019**

Arising Out of PS. Case No.-260 Year-2019 Thana- KOTWA District- East Champaran

SUDAMA MAHTO Son of Jagarnath Mahto Resident of Village-Konhwa,  
P.S.-Kotwa, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr.Suresh Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN  
SINGH**

ORAL ORDER

2      18-12-2019                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises  
out of **Kotwa P.S. Case No. 260 of 2019**, disclosing the offence  
under Section 30(a) of the 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 small quantity of liquor (5.6 ltrs.) said to have been recovered, the petitioner is directed to surrender before the Court below within four weeks from today and seeks regular bail, if so advised. If he does so, his application for regular bail shall be considered and disposed of on the same day.

**(Chakradhari Sharan Singh, J)**

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