

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76948 of 2019

Arising Out of PS. Case No.-249 Year-2019 Thana- CHAKIA District- East Champaran

SUKAN BAITHA @ SUKAN MIYAN Son of Israil Miyan Resident of
Village - Balochak Dhala, P.S.- Chakiya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Satyadeo Singh Yadav

**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 **Chakiya P.S. Case No. 249 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 quantity of liquor (15 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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