

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81468 of 2019

Arising Out of PS. Case No.-54 Year-2019 Thana- BELAGANJ District- Gaya

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Ripu Yadav Son of Binay Prasad @ Binay Yadav Resident of Village - Birbal
Bigha, P.S.- Belaganj in the District of Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Braj Nandan Kumar Tiwary, Advocate
For the Opposite Party : Mr.Anil Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

The petitioner is apprehending arrest in connection
with Belaganj P.S. Case No. 54 of 2019 for offence under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

In view of the statutory provisions prescribed under
sub-section (2) of Section 76 of the Bihar Prohibition and
Excise Act, 2016, the present application for anticipatory bail is
not maintainable, and as such, the Court is not inclined to
entertain the application.

However, liberty shall be available to the petitioner to
surrender before the Court below and pray for regular bail.

If the petitioner surrenders and prays for regular bail,
the Court below is directed to strictly adhere to the principles



laid down by this Court in the case of **Ashok Sahani Vs. The State of Bihar**, vide order dated **07.07.2017** passed in Cr. Misc. No. **26109 of 2017** and dispose of the application for regular bail filed on behalf of the petitioner on the same day.

With the aforesaid, this anticipatory bail application stands disposed of.

(Anil Kumar Upadhyay, J)

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