

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5682 of 2020

Arising Out of PS. Case No.-363 Year-2019 Thana- BANIAPUR District- Saran

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1. Shambhu Chaudhary Son of Ashok Chaudhary @ Sher Bahadur Chaudhary.
 2. Sanjay Chaudhary Son of Late Ramnath Chaudhary
- Petitioners
- Versus
- The State of Bihar
- Opposite Party
-

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Srivastva, Advocate
For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioners and

learned counsel for the State.

The petitioners seek pre-arrest bail in connection with Baniyapur P.S. Case No.363 of 2019 registered under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

In view of the bar created under Section 76(2) of the Bihar Prohibition and Excise Act, 2016 as also the ratio laid down by a Full Bench of this Court in ***Ram Vinay Yadav vs. State of Bihar***, since report in ***2019(2) PLJR 1089***, since the ingredients of the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 are attracted, the instant application for grant of pre-arrest bail is dismissed as not maintainable.



In case the petitioners surrender and seek bail, the same shall be considered on its own merits without being prejudiced in any manner by this order.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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