

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5584 of 2020

Arising Out of PS. Case No.-29 Year-2019 Thana- MAHINDWARA District- Sitamarhi

Yugal Sah S/O- Kishuni Sah Resident of Village - Olipur Sarhachia, P.S. -
Mahindwara and District - Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Virendra Kumar, Advocate
For the Opposite Party : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with Mahindwara P.S. Case No.29 of 2019 registered under Sections 30(a),(b),(c),(f), 34, 36 and 41 of the Bihar Prohibition & Excise Act, 2016.

Considering the statutory bar created under sub-section (2) of Section 76 of the Bihar Prohibition & Excise Act, 2016 and the ratio laid down by the Full Bench of this Court in the case of **Ram Vinay Yadav vs. State of Bihar, [2019(2) PLJR 1089]**, since the allegations made in the FIR do attract the ingredients of the offences punishable under the Bihar Prohibition & Excise Act, 2016, the instant application for grant of pre-arrest bail is not maintainable.



Accordingly, it is dismissed as not maintainable.

In case the petitioner surrenders and seeks bail, the same shall be considered on its own merit without being prejudiced in any manner by this order.

(Ashwani Kumar Singh, J)

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