

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5909 of 2020

Arising Out of PS. Case No.-323 Year-2019 Thana- NAWANAGAR District- Buxar

=====

KHAKHAN CHAUDHARY Son of Gulab Chaudhary @ Gulabchand
Choudhri Resident of Village - Bali Mushar Tola, P.S.- Nawanagar (Sonwarsa
O.P.), District - Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ramakant Yadav

For the Opposite Party/s : Mr.Indiwar Kumari (APP)

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 10-06-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises
out of Nawanagar (Sonversa) P.S. Case No. 323 of 2019,
disclosing offence under Section 30(a) of Bihar Excise
Amendment Act, 2018.

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, the petitioner is directed to surrender before the Court below within four weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered on its own merit without being prejudiced by rejection of the present application for grant of anticipatory bail by this Court.

(Chakradhari Sharan Singh, J)

AKASH/-

U		T	
---	--	---	--

