

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5735 of 2020

Arising Out of PS. Case No.-24 Year-2019 Thana- DHANGAI District- Gaya

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Rajo Mandal @ Rajo Manjhi, Son of Baleshwar Mandal @ Baleshwar Ram
Resident of Village - Rebda, P.S.- Barachatti, District- Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 04-03-2020 Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioner seeks pre-arrest bail in connection with Dhangai P.S. Case No.24 of 2019 registered under Sections 30(a) and 30(d) of the Bihar Prohibition and Excise Act, 2016.

In view of the specific 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 reported in *2019(2) PLJR 1089*, since the ingredients of the offence punishable under Sections 30(a) and 30(d) 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 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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