

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5655 of 2020

Arising Out of PS. Case No.-287 Year-2019 Thana- BIRAUL District- Darbhanga

Raju Mahto S/o Late Bindeshwar Mahto, Resident of Village- Kothi Pull,
P.S.- Mahavir Nagar, Distt- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Manish Kumar No2, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, 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 Biraul P.S. Case No.287 of 2019 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) 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 (Amendment) 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 merits without being prejudiced in any manner by this order.

(Ashwani Kumar Singh, J.)

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