

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5679 of 2020

Arising Out of PS. Case No.-127 Year-2019 Thana- BISHWAMBHARPUR District-
Gopalganj

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Dhananjay Kumar Sahni, S/o Ashok Sahni, R/o village- Jadopur, P.S.-
Jadopur, District- Gopalganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Dwivedi, Advocate
For the Opposite Party/s : Ms. Anita Kumari, APP

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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 Vishambharpur P.S. Case No.127 of 2019 registered for the offence punishable under Sections 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2019.

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 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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