

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5635 of 2020

Arising Out of PS. Case No.-237 Year-2018 Thana- KATORIYA District- Banka

Mithun Turi Son of Tejo Turi Resident of Village - Tilahiya, P.S.- Banka
District- Banka

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee
For the Opposite Party/s : Mr.Anil Prasad Singh

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 bail in connection with Katoriya
P.S. Case No. 237 of 2018 registered under Sections 379 and
411 of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise 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 reported 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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