

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5589 of 2020

Arising Out of PS. Case No.-744 Year-2019 Thana- TURKAULIYA District- East
Champanan

=====

Akhilesh Kumar S/o Ravindra Prasad @ Ravindra Prasad Kushwaha Resident
of Village - Chailahan Tatahariya, P.S. - Banjariya, District - East Champanan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr.Ajay Kumar Singh, Advocate
For the Opposite Party : Mr.Mritunjay Kumar Nirala, 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 Turkauliya (Banjariya) P.S. Case No.744 of 2019
registered under Sections 272, 273/34 of the Indian Penal Code
and Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Considering the statutory bar created under sub-
section (2) of Section 76 of the Bihar Prohibition & Excise Act,
2016 and the ratio laid down by the Full Bench of this Court in
the case of **Ram Vinay Yadav vs. State of Bihar, [2019(2)**
PLJR 1089], since the allegations made in the FIR do attract
the ingredients of the offence under Section 30(a) of the the
Bihar Prohibition & Excise Act, 2016, the instant application



for grant of pre-arrest bail is not maintainable.

Accordingly, it 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)

kanchan/-

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

