

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5660 of 2020

Arising Out of PS. Case No.-1090 Year-2019 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Rabi Choudhary @ Ravi Kumar Choudhary, Son of Bhola Choudhary,
Resident of Village- Kali Thakur Lane Deepnagar, P.S.- Jogsar, Distt-
Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Satyadeo Singh Yadav, 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 Kotwali (Jagsar) P.S. Case No.1090 of 2019 registered
under 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 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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