

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5745 of 2020

Arising Out of PS. Case No.-216 Year-2019 Thana- AANDAR District- Siwan

Akshaylal Kumar Yadav @ Achhelal Yadav, S/o Late Shambhu Yadav, R/o village- Jaijor, P.S.- Andar, District- Siwan

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 04-03-2020 Heard learned counsel for the petitioner and
learned counsel for the State.

The petitioner seeks pre-arrest bail in connection with Ander P.S. Case No.216 of 2019 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

In view of the specific 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 Sections 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 merit without being prejudiced in any manner by this order.

(Ashwani Kumar Singh, J.)

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