

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76663 of 2019

Arising Out of PS. Case No.-483 Year-2019 Thana- ARA NAGAR District- Bhojpur

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1. BIRENDRA KUMAR @ BIRENDRA KR. YADAV Son of Late Sachchidanand Yadav Resident of Village- Bhaluhipur, Ward No. 32, P.S.- Ara Town, District- Bhojpur.
 2. Kundan Kumar Son of Baijnath Yadav Resident of Village- Bhaluhipur, Ward No. 32, P.S.- Ara Town, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai
For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 14-02-2020 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners have filed the instant application for grant of anticipatory bail apprehending their arrest in a case registered for the offence under section 30(a) of the Bihar Prohibition and Excise Act, 2016 and sections 25(1-b)a, 35 and 26 of the Arms Act.

As per allegation in the F.I.R, country liquor and IMFL besides other articles as stated in the seizure list have been recovered from the joint house of the petitioners.

Having heard learned counsel for the parties and taking into consideration that the case is registered under Bihar



Prohibition and Excise Act, 2016, in the opinion of this Court the application in the instant case would not be maintainable.

The application is dismissed as not maintainable.

The petitioners are directed to surrender within a period of six weeks. In case the petitioners surrender within the aforesaid period and pray for regular bail the application for bail shall be considered without being prejudiced by this order of rejection.

(Partha Sarthy, J)

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