

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87217 of 2019

Arising Out of PS. Case No.-516 Year-2019 Thana- MANER District- Patna

Vakil Rai Son of Jairam Rai @ Jai Kisun Rai R/O - Heera Tola, Sherpur, P.S.-
Maner, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar

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

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 14-02-2020 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Maner P.S. case No. 516 of 2019 has been registered
for the offence punishable under Sections 30(a) of the Bihar
Prohibition and Excise Act, 2016 and the allegation against the
petitioner is that huge quantity of Indian made foreign liquor
was recovered from the hut of the petitioner. I am of the view,
this petition is barred by Section 76(2) of the Bihar Prohibition
and Excise Act, 2016 and, accordingly, this petition stands
dismissed being not maintainable.

However, petitioner is directed to surrender before the
court below within six weeks from today and if he does so and
seeks regular bail, the concerned court shall consider the regular



bail petition of the petitioner on its own merit without being prejudiced by this order.

(Hemant Kumar Srivastava, J)

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