

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.98 of 2020

Arising Out of PS. Case No.-337 Year-2019 Thana- GOPALPUR District- Patna

GAUTAM @ RAJ KUMAR Son of Sri Suraj Ray Resident of Village -
Bairiya, P.S.- Gopalpur, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Prasad Singh

For the Opposite Party/s : Ms.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 10-06-2020 Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of Special Case No. 9985 of 2019, arising out of Gopalpur P.S. Case No. 337 of 2019 disclosing offence under Sections 147,148,149,324,353,341,342 of the Indian Penal Code and Sections 30(a)/40 of Bihar Prohibition and Excise Act, 2016.

In view of the Full Bench decision of this Court in case of **Ram Vinay Yadav Vs. The State of Bihar**, reported in **2019(2) PLJR 1089 (F.B.)**, and the provisions under Section 76(2) of the Bihar Prohibition and Excise Act, 2016, this application for anticipatory bail cannot be maintained.

This application is accordingly dismissed as not maintainable.



However, the petitioner is directed to surrender before the Court below within four weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered on its own merit without being prejudiced by rejection of the present application for grant of anticipatory bail by this Court.

(Chakradhari Sharan Singh, J)

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