

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22262 of 2020

Arising Out of PS. Case No.-319 Year-2019 Thana- PATEPUR District- Vaishali

RAM KRISHNA KUMAR S/o Late Omkar Singh @ Late Omkar Nath Singh
Resident of Village- Salempur Salkhanni, P.S.- Patepur, Distt- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Anuj Kumar

For the Opposite Party : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 05-01-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Patepur P.S. Case No. 319 of 2019, disclosing offence under Section 30(a) 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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