

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30787 of 2020

Arising Out of PS. Case No.-229 Year-2020 Thana- MADHAURAH District- Saran

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ARUN KUMAR YADAV @ ARUN KUMAR RAI @ ARUN RAI S/o
Kameshwar Rai Village-Asaiya, Semarahiya, P.S.-Marhowrah, District-Saran.
... .. Petitioner

Versus

THE STATE OF BIHAR Opposite Party

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh
For the Opposite Party/s : Mr.Md.Aslam Ansari (APP)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 06-01-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Marhowrah P.S. Case No. 229 of 2020, disclosing offence under Section 30 and 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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