

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30808 of 2020**

Arising Out of PS. Case No.-203 Year-2020 Thana- GAYA KOTWALI District- Gaya

SANJAY VISHWAKARMA @ SANJAY KUMAR Son of Ram Balak Mistri
Resident of Mohalla- Sarai, P.S.- Kotwali, District- Gaya.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sudhir Kumar Sinha

For the Opposite Party : Mr. Parmanand Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 08-01-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Kotwali P.S. Case No. 203 of 2020, disclosing offence under Section 30(d) 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, considering the quantity of liquor said to have been recovered (half liters), it is observed that if the petitioner surrenders before the Court below within four weeks



from today and applies for regular bail, his application for regular bail shall be considered and disposed of on the same day.

(Chakradhari Sharan Singh, J)

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