

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12159 of 2021

Arising Out of PS. Case No.-646 Year-2020 Thana- KUDHNI District- Muzaffarpur

1. Raj Kumar Sahani @ Raj Kumar Son of Ram Sirtaj Sahani Resident of Village - Kurhani, Naya Tola, P.S. - Kurhani, District - Muzaffarpur.
2. Ram Kumar Sahani Son of Ram Sirtaj Sahani Resident of Village - Kurhani, Naya Tola, P.S. - Kurhani, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Satya Prakash Sinha, Advocate
For the State	:	Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 26-11-2021 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Kurhani (Fakuli O.P.) P.S. Case No.646 of 2020 registered for offences under Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

At the very outset, learned counsel for the petitioners submits that petitioner no. 1, namely, Raj Kumar Sahani @ Raj Kumar has been arrested during the pendency of this application. Hence, he prays for withdrawal of the application.

Prayer is allowed. The application for anticipatory bail is dismissed as withdrawn so far as petitioner no. 1, namely,



Raj Kumar Sahani @ Raj Kumar is concerned.

So far as petitioner no. 2, namely, Ram Kumar Sahani is concerned, in view of the allegations levelled against him, this anticipatory bail application is not maintainable in view of the judgment of the Full Bench of this Court in the case of *Ram Binay Yadav Vs. The State of Bihar* reported in [2019 (2) PLJR 1089 (Full Bench)].

Accordingly, it is dismissed as not maintainable.

(Sandeep Kumar, J)

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