

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19566 of 2021

Arising Out of PS. Case No.-556 Year-2019 Thana- MAJHAULIA District- West Champaran

SIPAHI KUMAR @ SIPAHI YADAV Son of Harendra Yadav Resident of
Village - Josin, P.S.- Harsidhi, Distt.- East Champaran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Upadhyay Saurabh Kumar
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 03-12-2021 Heard learned counsel for the parties.

Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

This application for grant of anticipatory bail arises out of Majhulia P.S. Case No. 556/2019 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act and Section 413/414/420/467/468/353/34 of the Indian Penal Code.

In view of the fact that *prima facie* a case under the Excise Act, is made out against the petitioner, this application for grant of anticipatory bail to the petitioner is not maintainable in view of Full Bench decision of this Court rendered in the case of *Ram Vinay Yadav vs. The State of Bihar reported in 2019(2)*



P.L.J.R. 1089 (F.B.).

Accordingly, this anticipatory bail application is
dismissed as not maintainable.

(Sandeep Kumar, J)

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