

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17309 of 2021

Arising Out of PS. Case No.-837 Year-2020 Thana- SONEPUR District- Saran

1. BULLET RAI, aged about 40 years, Male, son of Bharat Rai, Resident of Village - Pahleza Bali Tola, P.S.- Sonepur, Distt.- Saran.
 2. LAKSHMAN RAI, aged about 43 years, Male, son of Late Yogendra Rai, Resident of Village - Sabalpur Old Chai Tola, P.S.- Sonepur, Distt.- Saran.
 3. AKHILESH RAI, aged about 20 years, Male, son of Keshaw Rai.
 4. SUDHIR RAI, aged about 22 years, Male, son of Ramesh Rai.
 5. PINTU RAI, aged about 21 years, Male, son of Rameshwar Rai.
- Petitioner Nos. 3 to 5 are resident of Village - Sabalpur Newal Tola, P.S.- Sonepur, Distt.- Saran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Ajay Kr Singh No.1, Advocate
For the Opposite Party	:	Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 03-12-2021

Heard learned counsel for the parties.

Learned counsel for the petitioners 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 Sonepur P.S. Case No. 837 of 2020 registered for the offence under Sections 30(a), 38, 41(i)(ii) of the Bihar Prohibition & Excise Act, 2016.

In view of the fact that *prima facie* a case under the Excise Act, is made out against the petitioners, this application



for grant of anticipatory bail to the petitioners 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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