

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17593 of 2021**

Arising Out of PS. Case No.-138 Year-2020 Thana- KUDHNI District- Muzaffarpur

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AMLESH KUMAR @ AMLESH SINGH (M), aged about 31 years, son of Kailash Singh, Resident of village - Dubiyahi, Police Station - Kudhni (Turki O.P.), District - Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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**Appearance :**

For the Petitioner : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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**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 Kudhni (Turki O.P.) P.S. Case No. 138 of 2020 registered for the offence under Sections 272, 273, 188 of the Indian Penal Code and under Section 30(a) 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 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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