

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17580 of 2021**

Arising Out of PS. Case No.-64 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.  
District- Samastipur

Vikky Kumar, aged about 23 years, Male, Son Of Bishwanath Mahto Alias Vishwanath Mahto, R/O Village - Harpur Alloth, Ward No.10, P.S. Musrigharari, District – Samastipur.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

**Appearance :**

|                    |   |                                   |
|--------------------|---|-----------------------------------|
| For the Petitioner | : | Mr. Abhay Shankar Singh, Advocate |
| For the State      | : | 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 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 Excise Case No. 64 of 2020 registered for the offence under Section 30(a) of the Bihar Prohibition & Excise (Amendment Act.

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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