

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20219 of 2021**

Arising Out of PS. Case No.-371 Year-2020 Thana- KOTWA District- East Champaran

KAMLESH KUMAR S/O ACHHELAL RAI @ ACHHELAL RAY
RESIDENT OF VILLAGE JAGIR, P.S-KOTWA, DISTRICT-EAST
CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek 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 Kotwa P.S. Case No. 371/2020 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act and Section 272/273 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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