

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21365 of 2021**

Arising Out of PS. Case No.-142 Year-2020 Thana- MAGADH UNIVERSITY District- Gaya

MANTU KUMAR @ MANTU YADAV SON OF BHAGWAT YADAV @
BHAGWAT PRASAD RESIDENT OF VILLAGE- KAZICHAK, P.S.
MAGADH UNIVERSITY GAYA, DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav

For the Opposite Party/s : Mr.A.G.

**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.

The petitioner apprehends his arrest in connection
with Magadh University P.S. Case No. 142 of 2020 registered
for the offence under Section 30 (a) of the Bihar Prohibition and
Excise Act, 2016.

In view of the fact that prima facie 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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