

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21931 of 2021**

Arising Out of PS. Case No.-165 Year-2020 Thana- KUTUMBA District- Aurangabad

BITTU KUMAR SON OF TULSI MISHTRI R/O VILLAGE- BHAUWAR
KHADHAKPUR, P.S.- HARIHARGANJ, DIST.- PALAMU (JHARKHAND)

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar

For the Opposite Party/s : Mr.Bharat Lal

**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 Kutumba P.S. Case No. 165 of 2020 registered for the offence under Section 30 (a) of the Bihar Prohibition and Excise Act, 2018.

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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