IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23642 of 2021

Arising Out of PS. Case No.-199 Year-2020 Thana- JANKINAGAR District- Purnia

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MITHILESH KUMAR @ KARIYA, aged about 27 years, Male, Son of Rama Kant Yadav Resident of Village- Tethrahi, P.S.- Janki Nagar, District- Purnea.

... ... Petitioner

Versus

The State of Bihar.

... ... Opposite Party

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Appearance :
For the Petitioner : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party : 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 Janki Nagar P.S. Case No. 199 of 2020 registered for the offence under Sections 272 and 273 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)***

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P.L.J.R. 1089 (F.B.).

Accordingly, this anticipatory bail application is dismissed as not maintainable.

(Sandeep Kumar, J)

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