

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23140 of 2021

Arising Out of PS. Case No.-389 Year-2020 Thana- DALSINGHSARAI District- Samastipur

1. AWADHESH MAHTO @ AWADHESH KUMAR Shankar Mahto alias Shankar Prasad Son of Indradeo Mahto Resident of Village - Bambai GHarlal, Ward No.3, P.S.- Dalsingsarai, Distt.- Samastipur.
2. MITHILESHMAHTO @ MITHILESH KUMAR Son of Janak Mahto Resident of Village - Bambai GHarlal, Ward No.3, P.S.- Dalsingsarai, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 21-12-2021 Heard learned counsel for the parties.

Learned counsel for the petitioners are 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 Dalsinghsarai P.S. Case No. 389 of 2020, registered for the offence 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 petitioners, this application for grant of anticipatory bail to the petitioners are 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)

Ranjeet/-

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