

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21927 of 2021

Arising Out of PS. Case No.-427 Year-2017 Thana- PATLIPUTRA District- Patna

CHANDRA PRAKASH @ CHANDU RAM Son of Prahalad Ram Resident
of village - Mokhab Kalan, Police Station - Seev District - Barmer
(Rajasthan), Pin- 344001.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar Sinha

For the Opposite Party/s : Mr.Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 03-12-2021 Heard learned counsel for the petitioner and Sri
Jharkhandi Upadhyay, learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Special Case No. 8961 of 2017, arising out of Patliputra
P.S. Case No. 427 of 2017 registered for the offence punishable
under Sections 419, 420, 467, 468, 471 and 120 (B) of the
Indian Penal Code and Sections 30 (i), 38 (1) (2) and 41 (1) of
the Bihar Prohibition and Excise Act, 2016.

The petitioner is a resident of Barmer (Rajasthan) and
huge quantity of illicit liquor was recovered from the vehicle of
the petitioner. The name of the petitioner has come up on the
confessional statement of co-accused Manga Ram. He has stated
that the petitioner is the owner of the liquor, which was



recovered. He has altogether 7 cases of Excise and N.D.P.S. Act.

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 (Full Bench).

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

List this case along with Cr. Misc. No. 10518 of 2021 and other analogous cases on 15.12.2021 at 2:15 P.M.

(Sandeep Kumar, J)

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