

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24673 of 2021

Arising Out of PS. Case No.-319 Year-2020 Thana- PHULWARIYA District- Gopalganj

VISHAL RAM Son of Suraj Ram Resident of Village - Karariya Thakurai
Tola Chapiya, P.S. - Phulwariya, District - Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra
For the Opposite Party/s : Mr.APP

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 Phulwariya P.S. Case No. 319/2020 registered for the offence under Section 30(a)/37(c) 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) P.L.J.R. 1089 (F.B.)*.



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

(Sandeep Kumar, J)

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