

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24735 of 2021

Arising Out of PS. Case No.-353 Year-2020 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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DHARAMVEER RAI @ DHARAMVEER KUMAR Son of Suresh Rai
Resident of Village - Rampur Dudhpura, P.S. Samastipur (Muffasil), District -
Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.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 Samastipur (Muffasil) P.S. Case No. 353/2020 registered
for the offence under Section 30(a)/32(ii)/41(i) of the Bihar
Prohibition & Excise Act, 2016 and Section 147/148/149/341/
323/ 333/ 335/504/353/225/120(B) of the Indian Penal Code.

There has been a huge recovery of liquor i.e. more
than 3997.325 litres and the petitioner's complicity has been
found in this case.

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.

Put up this along with Cr. Misc. No. 10518 of 2021 and other analogous cases on 15.12.2021 at 02.15 p.m. for further direction.

(Sandeep Kumar, J)

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