

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24362 of 2021

Arising Out of PS. Case No.-95 Year-2020 Thana- JALALGARH District- Purnia

Chhotu Kumar @ Amit Kumar, aged about 20 years, Gender-Male, Son Of
Birendra Prasad Mandal, resident of Village - Bhathaili, Ward No.-02, P.S.-
Jalalgarh, District- Purnia.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sanjay Kumar Sharma, Advocate

For the Opposite Party : Mr. Jharkhandi Upadhyay, 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 Jalalgarh P.S. Case No. 95 of 2020 registered for the
offence under Sections 30(a) of the Bihar Prohibition & Excise
Act, 2016, under Section 21(a)/22(b) of the NDPS Act, under
Section 27(b) of the Drugs Cosmetics Act and under Section 27
of the Arms Act.

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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