

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24668 of 2021

Arising Out of PS. Case No.-140 Year-2019 Thana- TERHAGACHH District- Kishanganj

SURENDRA YADAV SON OF RAMESHWAR YADAV Resident of Village
- Belgachhi, P.S.- Palasi, in the Distt. of Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

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 Tedhagach P.S. Case No. 140 of 2019 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act and Section 279/337/338 of the Indian Penal Code.

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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