

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24715 of 2021**

Arising Out of PS. Case No.-85 Year-2020 Thana- RISIYAP District- Aurangabad

AKHILESH KUMAR SINGH @ AKHILESH SINGH Son of Late Chalitar Singh @ Charitar Singh Resident of Village - Judahi, P.S.- Risiup, Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, A.P.P.

**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 Rusiup P.S. Case No. 85/20 registered for the offence under Section 30(A) of the Bihar Prohibition & Excise Act, 2016.

There has been a huge recovery of liquor i.e. more than 83.700 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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