

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29439 of 2021

Arising Out of PS. Case No.-210 Year-2020 Thana- DARPA District- East Champaran

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JAI KISHUN MUKHIYA @ JAI KISHAN MUKHIYA, aged about 30 years,
Male, Son of Dularchan Mukhiya @ Dularchandra Mukhiya, Resident of
village- Tinkoni, P.S. - Darpa, District - East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party : Mr. Madhura Nand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 10-12-2021

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 Darpa P.S. Case No. 210 of 2020 registered for the
offence under Sections 272 and 273 of the Indian Penal Code
and under Section 30(a) 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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