

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29436 of 2021

Arising Out of PS. Case No.-795 Year-2020 Thana- MUFFASIL District- West Champaran

VISHAL YADAV @ VISHAL KUMAR (Male), aged about 27 years, son of Lakshman Yadav, Resident of Village - Banuchhapra, Ward No.12, P.S.- Bettiah Mufassil (Banuchhapar O.P.), Distt.- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ashok Kumar Gupta, Advocate

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

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 Bettiah (Mufassil) P.S. Case No. 795 of 2020 registered for the offence under Sections 341, 323, 353, 147, 148, 354, 332, 333, 504 of the Indian Penal Code and under Section 37(c) 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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