

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28871 of 2021

Arising Out of PS. Case No.-726 Year-2020 Thana- MOTIHARI TOWN District- East
Champaran

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Uday Das, aged about 30 years (Male), S/O Late Sant Mahto @ Sant Das,
Resident Of Village-Koluharwa Ward No.1, P.S. - Town, District-East
Champaran.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Abhishek Kumar, Advocate
For the Opposite Party : Mr. Ramchandra Singh, 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 Motihari Town P.S. Case No. 726 of 2020 registered for
the offence under Sections 30(a), 32, 41 of the Bihar Prohibition
& Excise 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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