

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29713 of 2021

Arising Out of PS. Case No.-18 Year-2021 Thana- MAINATAND District- West Champaran

1. Binay Yadav @ Vinay Kumar, aged about 27 years, Male, son of Dhura Yadav @ Dhurendra Yadav.
2. Bira Yadav @ Birendra Yadav, aged about 40 years, son of Bishwanath Yadav @ Vishwanath Yadav.
Both are resident of village- Basantpur, P.S.- Mainatand, District- West Champaran

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party : Mr. Jharkhandi Upadhyay, 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 Mainatand P.S. Case No. 18 of 2021 registered for the offence 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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