

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30270 of 2021

Arising Out of PS. Case No.-584 Year-2020 Thana- RAJAOLI District- Nawada

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1. Manoj Choudhary, aged about 34 years (Male), son of Lakhan Choudhary, R/O Village- Baliya, P.S.- Rajauli, District- Nawada.
 2. Samoli Bhuiyan, aged about 40 years, Male, son of Fagu Bhuiyan, R/O Village- Fulwariya, P.S.- Rajauli, District- Nawada.
 3. Rajkumar Bhuiyan, aged about 30 years (Male), son of Kuleshwar Bhuiyan, resident of Village- Fulwariya, P.S.- Rajauli, District- Nawada.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sheo Kumar Prasad, 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 petitioners 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 Rajauli P.S. Case No. 584 of 2020 registered for the offence under Section 30(a) 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 petitioners, this application for grant of anticipatory bail to the petitioners 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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