

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29408 of 2021

Arising Out of PS. Case No.-761 Year-2020 Thana- KUDHNI District- Muzaffarpur

=====

YOGESHWAR MAHTO @ JAGESHWAR MAHTO, aged about 45 years
(Male), son of Late Mahendra Mahto, Resident of Village - Teliya, P.S.-
Kudhani (O.P. Turki), Distt.- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr. Raju Kumar, Advocate

For the Opposite Party : Mr. Jitendra Kumar Singh, 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 Kudhani (O.P. Turki) P.S. Case No. 761 of 2020
registered for the offence under Sections 414/34 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)

pawan/-

U		T	
---	--	---	--

