

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28872 of 2021

Arising Out of PS. Case No.-52 Year-2020 Thana- GHANSHYAMPUR District- Darbhanga

1. AMARJEET MANDAL, aged about 25 years (Male), son of Uday Mandal.
2. CHANDAN MANDAL, aged about 23 years (Male), son of Shyam Sunder Mandal, Resident of Village-Navtol, P.S.- Ghanshyampur, Dist.- Darbhanga.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Kedar Jha, Advocate
For the Opposite Party : Mr. Madan Kumar, 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.

The petitioners seek anticipatory bail in connection with G.O. Case No.365 of 2020, arising out of Ghanshyampur P.S. Case No. 52 of 2020, registered for the offence under Sections 30(a)/37(c)/45 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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