

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28888 of 2021

Arising Out of PS. Case No.-201 Year-2018 Thana- RAJAPAKAR District- Vaishali

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BHUSHAN KUMAR @ BHUSHAN RAI (brother of Wakil Rai) aged about 22 years (Male), Son of Rudal Rai, Resident of Village - Devantok, P.S. - Gangabridge, District - Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Rajesh Kumar Singh, Advocate
For the Opposite Party : Mr. Ram Sevak Choudhary, 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 Excise G.R. No.665 of 2020, arising out of Rajapakar P.S. Case No. 201 of 2020 registered for the offence under Sections 414 and 34 of the Indian Penal Code and under Section 30(a) of the Bihar Prohibition & Excise Act, 2018.

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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