

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30267 of 2021

Arising Out of PS. Case No.-156 Year-2020 Thana- KALUAHI District- Madhubani

TEJAN MUKHIYA, Male, aged about 35 years, son of Chalitar Mukhiya,
Resident of Village - Kewata, P.S. - Kaluahi, District - Madhubani.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Md. Soban Asghar

For the Opposite Party : Mr. Zainul Abedin, 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 Kaluahi P.S. Case No. 156 of 2020 registered for the offence under Sections 272 and 273 of the Indian Penal Code and 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 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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