

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31495 of 2021**

Arising Out of PS. Case No.-57 Year-2021 Thana- CHAPRA MUFFASIL District- Saran

BIRJU KUMAR @ BIRAJU RAI Son of Kanhai Rai Resident of Village -  
Sandha, P.S. - Chapra Muffassil, District - Saran at Chapra.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Dewendra Narayan Singh

For the Opposite Party/s : Mr.A.G

**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 Chapra Muffasil P.S. Case No. 57/2021 registered for the offence 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)**

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