

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35589 of 2021

Arising Out of PS. Case No.-17 Year-2021 Thana- VAISHALI District- Vaishali

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1. AVINASH KUMAR @ AVINASH KUMAR RAI Son of Ram Pravesh Rai @ Rampravesh Ray Resident of Village- Salimpur, P.S.- Lalgang, District- Vaishali.
 2. Arvind Kumar S/o Ram Pravesh Rai @ Rampravesh Ray Resident of Village- Salempur, P.S.- Lalganj, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar 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 petitioners 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 Vaishali P.S. Case No. 17 of 2021, registered for the offence under Sections 30(a), 41(a), 33, 34, 36 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 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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