

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40409 of 2021

Arising Out of PS. Case No.-503 Year-2020 Thana- DANAPUR District- Patna

VIJENDRA @ BIJENDRA @ GOPE JEE S/o Late Ram Lakshan Ray @
Ram Lakhan Ray, Resident of Village- Trimurti Nagar, Sultanpur, P.S.-
Danapur, District- Patna.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Satish Chandra, Advocate

For the Opposite Party : Mr. Mritunjay Kumar Nirala, 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.

The petitioner seeks anticipatory bail in connection
with Special Case No. 5136 of 2020, arising out of Danapur P.S.
Case No. 503 of 2020 registered for the offence 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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