

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42825 of 2021**

Arising Out of PS. Case No.-103 Year-2021 Thana- RAFIGANJ District- Aurangabad

DEEPAK KUMAR @ DEEPAK KUMAR YADAV @ DEEPAK YADAV Son
of Krishna Yadav @ Sri Krishna Yadav Resident of Village- Pokhar Bigha,
P.S.- Pouthu, District- Aurangabad. At present vill- Nand Nagar, P.S.-
Sidhgodda, District- Purvi Shinghbhum, Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Anand

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

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 23-12-2021 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 Rafiganj P.S. Case No. 103/2021 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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