

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44896 of 2021**

Arising Out of PS. Case No.-335 Year-2020 Thana- SUGAULI District- East Champaran

PRINCE KUMAR @ MITHAI LAL SON OF MADAN PD. R/O VILLAGE-
SEMRA BAZAR, P.S.- TURKAULIYA, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar

For the Opposite Party/s : Mr.Umanath Mishra

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER**

2 17-12-2021

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 Sagauli P.S. Case No. 335/20 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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