

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44905 of 2021

Arising Out of PS. Case No.-124 Year-2021 Thana- HARLAKHI District- Madhubani

1. ROHIT MAHTO Son of Bhogi Mahto Resident of Village - Durgapatti, P.S.- Harlakhi, Distt.- Madhubani.
2. Pramod Paswan Sonof Late Bhogendra Paswan Resident of Village - Durgapatti, P.S.- Harlakhi, Distt.- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha

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

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 17-12-2021 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 Harlakhi P.S. Case No. 124/2021 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act and Section 272/273 of the Indian Penal Code.

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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