

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.10907 of 2021**

Arising Out of PS. Case No.-202 Year-2020 Thana- BAIRIYA District- West Champaran

Dipu Kumar Son of Ravi Mahto Resident of village - Malkauli Patkhauli, P.S.  
- Bairiya, District - West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Binay Kumar, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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

2      26-11-2021                      Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of Bairiya P.S. Case No. 202 of 2020 registered for the offence under section 30(a) of 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 the 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.



Learned counsel or the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

**(Sandeep Kumar, J)**

Ravi/-

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