

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46577 of 2021

Arising Out of PS. Case No.-358 Year-2020 Thana- MINAPUR District- Muzaffarpur

1. RANJEET KUMAR @ RANJEET KUMAR MAHTO Son of Madhumangal Mahto Resident of village - Panapur, Bangla Tola, P.s.- Minapur (O.P.), Dist.- Muzaffarpur.
2. MONU KUMAR Son of Jiyalal Mahto Resident of village - Panapur, Bangla Tola, P.s.- Minapur (O.P.), Dist.- Muzaffarpur.
3. SONU KUMAR Son Of Jiyalal Mahto Resident of village - Panapur, Bangla Tola, P.s.- Minapur (O.P.), Dist.- Muzaffarpur.
4. JITENDRA KUMAR Son of Jiyalal Mahto Resident of village - Panapur, Bangla Tola, P.s.- Minapur (O.P.), Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 17-12-2021 At the very outset, learned counsel for the petitioner seeks permission to withdraw the present anticipatory bail application as against petitioner No. 1 (Ranjeet Kumar).

Permitted to be withdrawn.

It is, thus, dismissed as withdrawn as against petitioner No. 1.

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 Minapur (Panapur O.P.) P.S. Case No. 358/2020 registered for the offence under Section 30(a)/41 of the Bihar Prohibition and Excise Act and Section 272/273/34 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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