

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46819 of 2021

Arising Out of PS. Case No.-788 Year-2019 Thana- MASAUDHI District- Patna

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1. KUNAL YADAV Son of Satya Narayan Yadav Resident of Village - Sangatpar Musahari, P.S.- Masaurhi, Dist.- Patna.
 2. Arabind Yadav Son of Ram Lochan Prasad Resident of Village - Sangatpar Musahari, P.S.- Masaurhi, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ganesh Prasad Yadav
For the Opposite Party/s : Mr.Murli Dhar

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 Masaurhi P.S. Case No. 788 of 2019 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 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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