

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52384 of 2021**

Arising Out of PS. Case No.-728 Year-2016 Thana- NAWADA District- Nawada

RAJESH CHOUDHARY SON OF UMESH CHOUDHARY R/O VILLAGE-  
GANDHI NAGAR, P.S.- NAGAR NAWADA, DIST.- NAWADA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Vishwa Ranjan Choudhary  
For the Opposite Party/s : Mr.Gulnar Begum

**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.

The petitioner apprehends his arrest in connection with Nagar Nawada P.S. Case No. 728 of 2016 registered for the offence under Sections 272, 273 of the Indian Penal Code and under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

In view of the fact that prima facie 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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