

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53771 of 2021**

Arising Out of PS. Case No.-209 Year-2021 Thana- SIKARPUR District- West Champaran

1. JAIPRAKASH KUSHWAHA SON OF SRI SINHASAN KUSHWAHA  
RESIDENT OF VILLAGE- SISWA, NAWKA TOLA, P.S.- SHIKARPUR,  
DISTRICT- WEST CHAMPARAN
2. RAMJATAN RAI SON OF SRI NATHU RAI RESIDENT OF VILLAGE-  
CHARHARWA, P.S.- RAMNAGAR, DISTRICT- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Umesh Chandra Verma  
For the Opposite Party/s : Mr.Sanjay Kumar Sharma

**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.

The petitioners apprehend their arrest in connection with Shikarpur P.S. Case No. 209 of 2021 registered for the offence 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 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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