

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**CRIMINAL MISCELLANEOUS No.1998 of 2021**

Arising Out of PS. Case No.-434 Year-2020 Thana- LAHERIYASARAI District- Darbhanga

UMESH KUMAR MAHTO @ PARMA MAHTO, aged about 38 years,  
Gender-Male, Son of Late Ramchandra Mahto, Resident of Village-  
Mologanj, P.S.- Laheriasarai, Distt- Darbhanga.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr. Madan Kumar, APP

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

**ORAL ORDER**

3 08-12-2021

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.

This application for grant of anticipatory bail arises  
out of Laheriasarai P.S. Case No. 434 of 2020 registered for the  
offence under Sections 272 and 273 of the Indian Penal code  
and 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 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)**

pawan/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

