

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59206 of 2021

Arising Out of PS. Case No.-31 Year-2021 Thana- BANDHUWA KURAWA District- Banka

VIKASH MAHTO (Male), aged about 35 years, son of Anirudh Mahto,
resident of village- Purani Lalita (Samukhiya), P.S.- Banka, District- Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Aditya Nath Pandey, Advocate
For the Opposite Party : Mr. Dr. Kumar Uday Pratap, APP

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 seeks anticipatory bail in connection
with Bindhua Kurapa P.S. Case No. 31 of 2021 registered for
the offence under Section 30(A (F), 32(B), 41(1) 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)

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