

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5433 of 2021

Arising Out of PS. Case No.-206 Year-2020 Thana- DIDARGANJ District- Patna

Shankar Rai @ Shiv Shankar Rai, aged about 40 years, Male, son of Sri Munarik Ray, resident of Mohalla - Ward No.72, Jalla, P.S.- Deedarganj, District- Patna.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Raj Krishan Jha, Advocate

For the Opposite Party : Mr. Md. Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 24-11-2021

Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of Deedarganj P.S. Case No. 206 of 2020 registered for the offence under Section 30(a) of the Bihar Prohibition & Excise Act.

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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