

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6711 of 2021

Arising Out of PS. Case No.-153 Year-2020 Thana- HATHAURI District- Muzaffarpur

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1. RAJIV KUMAR @ RAJIV SAHANI (Male), aged about 29 years, Son of Sri Ramu Sahani.
 2. Mukesh Sahani (Male), aged about 25 years, son of Sri Raghunath Sahani.
Both resident of Village- Chapra Mubarak Dumarvana, P.S.-
Minapur, Distt- Muzaffarpur.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma, Advocate
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 26-11-2021

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.

Learned counsel for the petitioners seeks permission to withdraw this bail application on behalf of the petitioner no.1 namely, Rajiv Kumar @ Rajiv Sahani, as he has been arrested.

Accordingly, this bail application is dismissed as withdrawn as against petitioner no.1.

This application for grant of anticipatory bail arises out of Hathauri P.S. Case No. 153 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 no.2, this application for grant of anticipatory bail to the petitioner no.2 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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