

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61665 of 2021**

Arising Out of PS. Case No.-637 Year-2021 Thana- TURKAULIYA District- East
Champaran

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MITHILESH SAHANI, aged about 30 years (M), son of Mahendra Sahani,
Resident of Village- Chichurahiya, P.S.- Banjariya, District- East Champaran.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Abhishek Kumar, Advocate
For the Opposite Party : Mr. Gulnar Begum, APP

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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 Turkauliya (Banjariya) P.S. Case No. 637 of 2021
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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