

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7707 of 2021

Arising Out of PS. Case No.-601 Year-2020 Thana- MASHRAK District- Saran

Somu Kumar Singh @ Shamresh Bahadur Singh, aged about 23 years,
Gender-Male, Son Of Suresh Bahadur Singh, R/o village- Chainpur, P.S.-
Mashrakh, District- Saran at Chapra

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, 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 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 Mashrakh P.S. Case No. 601 of 2020 registered for the
offence under Sections 30, 30(a), 38 and 41 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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