

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62183 of 2021**

Arising Out of PS. Case No.-57 Year-2021 Thana- RAJEPUR District- East Champaran

Avinash Kumar, aged about 24 years (Male), son of Ajay Kumar Vishvanath Prasad @ Ajay Prasad Chaudhary, R/O Village - Rajepur, P.S- Rajepur, District-East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sunil Kumar No. III, Advocate

For the Opposite Party/s : Ms. Shaheen Begum, Advocate

**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 Rajepur P.S. Case No. 57 of 2021 registered for the offence under Sections 272 and 273 of the Indian Penal Code and under Section 30(a) 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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