

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61694 of 2021

Arising Out of PS. Case No.-82 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Purnia

MAHESH CHAUDHARY (M), aged about 42 years, Son of Bijay Chaudhary
@ Vijay Chaudhary, R/o Village - Ward No.- 22, Khagra Gate No.- 3, Near
Hanifia Madarsa, P.S.- Kishanganj, District - Kishanganj.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Onkar Nath, Advocate
For the Opposite Party : Ms. Rita Verma, APP

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 Excise Complain-1 Case No. 82 of 2021 registered for the
offence under Section 30(a) and 56(b) of the Bihar Prohibition
& Excise Ac, 2018.

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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