

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8054 of 2021

Arising Out of PS. Case No.-263 Year-2020 Thana- BAKHARI District- Begusarai

1. MOHAN CHOUDHARY Son of Late Saryug Choudhary Resident of Village - Makhachak, Ward No.5, P.s.- Bakhri, Distt.- Begusarai.
2. RAM GULAM CHOUDHARY Son of Late Jageshwar Choudhary Resident of Village - Makhachak, Ward No.5, P.s.- Bakhri, Distt.- Begusarai.
3. RAHUL CHOUDHARY @ RAHUL KUMAR Son of Rahul Choudhary @ Rahul Kumar Resident of Village - Makhachak, Ward No.5, P.s.- Bakhri, Distt.- Begusarai.
4. GEETA DEVI W/o Late Mayaram Choudhary @ Mayaram Chaudhari Resident of Village - Makhachak, Ward No.5, P.s.- Bakhri, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 26-11-2021

Heard learned counsel for the parties.

Learned counsel for the petitioners are 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 Bakhri P.S. Case No. 263/2020 registered for the offence 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 petitioners, this application



for grant of anticipatory bail to the petitioners 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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