

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62061 of 2021

Arising Out of PS. Case No.-339 Year-2021 Thana- UDWANTNAGAR District- Bhojpur

1. BIHARI MUSAHR, aged about 30 years, Male, Son of Bigali Musahr.
 2. Basawan Musahr, aged about 27 years, Male, Son of Nagdeo Musahr.
 3. Binod Musahr, aged about 26 years, Male, son of Agahnu Musahr.
- All are Resident of Village - Bampali, P.S.- Udwant Nagar, Distt.- Bhojpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 17-12-2021 Heard learned counsel for the parties.

Learned counsel for the petitioners is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

The petitioners seek anticipatory bail in connection with Udwant Nagar P.S. Case No. 339 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 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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