

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7705 of 2021**

Arising Out of PS. Case No.-180 Year-2020 Thana- PATAHI District- East Champaran

1. Ravindra Sahani, Male, aged about 42 years, son of Bindeshwar Sahani.
2. Dharmendra Sahani, Male, aged about 38 years, son Of Prem Sahani.
3. Rameshar Sahani @ Rameshwar Sahani, Male, aged about 36 years, son Of Rajendra Sahani @ Rajendra Sahni.  
All resident of Village - Devapur, P.S.- Patahi Pachpakari O.P., Dist.- East Champaran

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

**Appearance :**

|                      |   |                              |
|----------------------|---|------------------------------|
| For the Petitioner/s | : | Mr. Anuj Kumar, Advocate     |
| For the State        | : | 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 petitioners is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Learned counsel for the petitioners seeks permission to withdraw this bail application on behalf of the petitioner no.2 namely, Dharmendra Sahni, as he has been arrested.

Accordingly, this bail application is dismissed as withdrawn as against petitioner no.2.

This application for grant of anticipatory bail arises out of Patahi P.S. Case No. 180 of 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 petitioner nos. 1 and 3, this application for grant of anticipatory bail to the petitioner nos. 1 and 3 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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