

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62053 of 2021

Arising Out of PS. Case No.-433 Year-2021 Thana- MASHRAK District- Saran

=====

RUPESH KUMAR, aged about 20 years (M), son of Akalu Rai @ Algu Ray,
Resident of Village- Padumpur, P.S.- Mashrak, District- Saran (Chapra)

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr. Mukesh Kumar Singh, Advocate
For the Opposite Party : Mr. Kanhaiya Kishore, 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 Mashrakh P.S. Case No. 433 of 2021, registered for the offence under Sections 30, 30(a), 38 and 41 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 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)

pawan/-

U		T	
---	--	---	--

