

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9656 of 2021

Arising Out of PS. Case No.-118 Year-2020 Thana- ISLAMPUR District- Nalanda

1. MUKESH KUMAR Son of Arvind Prasad Resident of Village-Rupaspur, P.S.-Khudaganj, District-Nalanda.
2. Antu Kumar @ Ankit Kumar @ Anty Kumar Son of Arvind Prasad Resident of Village-Rupaspur, P.S.-Khudaganj, District-Nalanda.
3. Upendra Kumar @ Tuntun Kumar Son of Late Umesh Mahto Resident of Village-Murgiyachak, P.S.-Islampur, District-Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar
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 Islampur P.S. Case No. 118/2020 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 these 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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