

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63512 of 2021

Arising Out of PS. Case No.-282 Year-2020 Thana- DIGHWARA District- Saran

1. DHARMENDRA MAHTO @ DHARMENDRA KUMAR MAHTO Son of Raj Wallam Mahto @ Rajbalam Mahto Resident of Village - Sobhepur, Babhangawan, Police Station - Naya Gaon, District - Saran.
2. Jitendra Mahto @ Jitendra Kumar Son of Raj Wallam Mahto @ Rajbalam Mahto Resident of Village - Sobhepur, Babhangawan, Police Station - Naya Gaon, District - Saran.
3. Raj Wallam Mahto @ Rajbalam Mahto Son of Late Sipahi Mahto Resident of Village - Sobhepur, Babhangawan, Police Station - Naya Gaon, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Rajesh Kumar Singh
For the Opposite Party/s : Mr.A.G.

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 apprehend their arrest in connection with Dighwara P.S. Case No. 282 of 2020 registered for the offence under Sections 272, 273 of the Indian Penal Code and under Sections 30 (a), 38, 41 of the Bihar Prohibition and Excise Act.

In view of the fact that prima facie 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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