

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10515 of 2021**

Arising Out of PS. Case No.-394 Year-2020 Thana- TURKAULIYA District- East
Champaran

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1. Bachchan Sahni S/o Ramchandrar Sahni R/o village- Jhakhiya, P.S.-
Banjariya, District- East Champaran
 2. Bhola Sahni Son Of Sri Bhagwan Sahni R/o village- Jhakhiya, P.S.-
Banjariya, District- East Champaran

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

2 26-11-2021

Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of Turkauliya (Banjariya) P.S. Case No. 394 of 2020 registered for the offence under sections 272, 273, 34 of the Indian Penal Code and Section 30(a) (d) of Bihar Prohibition and Excise Act, 2016.

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 the 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.

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

(Sandeep Kumar, J)

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