

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10520 of 2021**

Arising Out of PS. Case No.-404 Year-2020 Thana- KADAMKUAN District- Patna

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Anil Kumar Son of Late Nand Kumar Thakur Resident of Village - Chhoti
Khagaul, P.S.- Khagaul, District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar, Advocate

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

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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 in
Special Case No. 5602 of 2020 arises out of Kadamkuan P.S.
Case No. 404 of 2020 registered for the offence under section
30(a)/36/41 (I) (ii) 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 petitioner, this application for
grant of anticipatory bail to the petitioner 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 petitioner 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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