

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64725 of 2021**

Arising Out of PS. Case No.-383 Year-2021 Thana- CHANPATIA District- West Champaran

VIJAY MAHTO SON OF BHIKHARI MAHTO R/O VILLAGE- PATILAR,  
WARD NO.-9, P.S.- CHAUTARWA, DISTRICT- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Arvind Kumar Pandey (App.84)

**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.

This application for grant of anticipatory bail arises out of Chanpatia (Sirisiya O.P.) P.S. Case No. 383 of 2021 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act and Section 414 of the Indian Penal Code.

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)**

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