

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65859 of 2021

Arising Out of PS. Case No.-397 Year-2021 Thana- MUFFASIL District- West Champaran

1. BHOLA PATEL @ BHOLA PRASAD Son of Udho Patel Resident of Village- Sansaraiya, P.s. Bettiah Muffasil, District- West Champaran.
2. Brahm Yadav Son of Bala Yadav Resident of Village- Sansaraiya, P.S.- Bettiah Muffasil, District- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava

For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 17-12-2021 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 Bettiah Muffasil P.S. Case No. 397 of 2021, registered for the offence under Section 30(a) of the 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 are 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)

Ranjeet/-

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