

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68636 of 2021

Arising Out of PS. Case No.-127 Year-2020 Thana- KHUTAUNA District- Madhubani

Baijnath Mahto @ Baidhnath Kumar S/o Laxmi Mahto R/o village- Siktiyahi,
P.S.- Khutauna, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 24-12-2021

Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of Khutauna P.S. Case No. 127 of 2020 corresponding to G.R. No. 1211 of 2020 registered for the offence under Sections 272, 273 of the Indian Penal Code and 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 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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