

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69036 of 2021

Arising Out of PS. Case No.-163 Year-2021 Thana- BIDUPUR District- Vaishali

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Nitesh Kumar @ Chhichal S/o Meghan Singh Resident of Village- Mathura,
P.S.- Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Suman Kumari Singh, Advocate

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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 Bidupur P.S. Case No. 163 of 2021 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

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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