

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69383 of 2021

Arising Out of PS. Case No.-245 Year-2020 Thana- BENIPATTI District- Madhubani

Mukesh Kumar Mahto S/O Sukdev Mahto Resident of Ward No. 19,
Baswaril, Madhubani, P.S.- Madhubani, District- Madhubani
... .. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar, Advocate
For the Opposite Party/s : Mr. Veena Kumari Jaiswal, 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 Benipatti P.S. Case No. 245 of 2020 corresponding to G.R. No. 1068 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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