

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.69414 of 2021

Arising Out of PS. Case No.-309 Year-2020 Thana- KUCHAIKOTE District- Gopalganj

Kaushal Kumar Mishra @ Kaushal Mishra Son of Sri Pramod Mishra @
Pramod Kumar Mishra Resident of Village- Maksudpur, P.S.- Minapur,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Upendra 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 Kuchaikote P.S. Case No. 309 of 2020 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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