

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3471 of 2022

Arising Out of PS. Case No.-101 Year-2021 Thana- DEODHA District- Madhubani

ASHOK MUKHIYA, Son of Narayan Mukhiya, Resident of Village- Barhi,
Ward No.-2, P.S.- Babubarhi, Dist.- Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Shailendra Kumar Jha, Advocate
For the Opposite Party : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 21-02-2022 Heard learned counsel for the parties.

Learned counsel for the petitioner is 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 Deodha P.S. Case No. 101 of 2021 (G.R. No.1767 of 2021) registered for the offence under Sections 272 and 273/34 of the Indian Penal Code and under Section 30(a) of the Bihar Prohibition & 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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