

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3464 of 2022

Arising Out of PS. Case No.-593 Year-2021 Thana- ALAMGANJ District- Patna

SUMIT KUMAR @ GUDDU, Son of Late Satish Mahto Resident of Village -
Jamuni Ray Ka Kuan, P.S.- Khajekalan, Distt.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Nityanand Kumar, Advocate
For the Opposite Party : Mr. Ganesh Prasad Singh, 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 Alamganj P.S. Case No. 593 of 2021 (Special Case No. 5527 of 2021) registered for the offence under Section 414 of the Indian Penal Code and under Sections 30(a), 30(C) of the Bihar Prohibition & Excise Act.

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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