

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3474 of 2022

Arising Out of PS. Case No.-95 Year-2021 Thana- RAJPUR District- Buxar

Sunil Kumar Gupta @ Suneel Kumar Gupta, S/O- Jagdish Prasad Sahu, R/o
Vill- J.17/26, Alaipura, Jaitpura, P.S.- Jaipura, District- Varanasi, Utter
Pradash

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rajiv Ranjan Kr. Pandey
For the Opposite Party : Mr. Shailendra Kumar

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 Rajpur P.S. Case No.95 of 2021 registered for the offence
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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