

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3981 of 2022

Arising Out of PS. Case No.-554 Year-2021 Thana- MADHAURAH District- Saran

MITHILESH RAI @ SADHU S/o Lakshman Rai Resident of Village- Pojhi
Bhualpur, P.S.- Marhowrah, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Nalin Kumar
For the E.D.	:	Mr. (Dr.) K.N. Singh
		Mr. Manoj Kumar Singh
For the Opposite Party/s :		Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 04-04-2022 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 Marhowrah P.S. Case No. 554/2021 registered for the offence under Section 30(a)/41(i) of the Bihar Prohibition & Excise Act, 2016.

It is a case of huge recovery of illicit liquor. It seems that the petitioner is a member of liquor syndicate. Petitioner has been named in the self inculpatory statement of the co-accused.

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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