

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5967 of 2022

Arising Out of PS. Case No.-215 Year-2021 Thana- BARH District- Patna

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DIPAK KUMAR MAHTO @ DIPAK KUMAR Son of Sri Bhonu Mahto
Resident of Village- Saifpur, P.S.- Barh, District- Patna.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kumar Manglam, Advocate
For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 07-03-2022 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 Barh P.S. Case No. 215 of 2021 registered for the offence under Section 30(a) of the Bihar Excise Prohibition (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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