

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.6714 of 2022

Arising Out of PS. Case No.-167 Year-2021 Thana- GARDANIBAG District- Patna

Gautam Kumar Son of Sri Rajeshwar Ray Resident of Village - Akauna, Khania, P.S.- Masaurhi, Distt.- Patna, Owner and Driver of Scooty Honda, Gradia, Regd. No.BR01BW4682, At Present Mohalla - Yadav Lane Janta Road, P.S.- Gardnibagh, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr.Pranaya Shanker Sinha, Advocate

For the Opposite Party : Mr.Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

2 25-03-2022 The matter is being heard through video conferencing due to circumstances prevailing on account of Covid-19 pandemic.

Heard the parties.

The petitioner apprehends his arrest in connection with Special Case No.3052 of 2021 arising out of Gardanibagh P.S. Case No.167 of 2020 registered for the offence under Sections 30(a) and 36 of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Petitioner is the owner of scooty which was involved in smuggling of liquor and he is named in the first information report.



In view of the allegations levelled against the petitioner, this anticipatory bail application is not maintainable in view of the judgment of the Full Bench of this Court in the case of *Ram Binay Yadav Vs. The State of Bihar* reported in [2019 (2) PLJR 1089 (Full Bench)]. Accordingly, it is dismissed as not maintainable.

(Sandeep Kumar, J)

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