

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6367 of 2022

Arising Out of PS. Case No.-637 Year-2021 Thana- MASAUDHI District- Patna

MANOJ KUMAR @ GABBAR YADAV, Son of Late Mannu Yadav @ Mallu Yadav @ Hira Lal Yadav Resident of Village- Barhai Tola, Masaurhi, Police Station- Musaurhi, District- Patna.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

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 Masaurhi P.S. Case No. 637 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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