

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10401 of 2022**

Arising Out of PS. Case No.-391 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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SHUBHAM SHOURYA SON OF RAMANUJ PRASAD SINGH R/O
VILLAGE -BADALPURA, P.S.- MATIHANI, DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shri Prakash Tiwari

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 08-04-2022 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.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of anticipatory bail in

Muffasil (Lakho O.P.) P.S. Case No. 391/2021 registered for the

offence punishable under Sections 30(a)42(1) of the Bihar

Prohibition and Excise Act and Section 120(b) of the Indian

Penal Code.

The petitioner has three similar antecedents and a

huge quantity of 851.625 litres of illicit liquor has been

recovered. The petitioner was seen fleeing from the place of

occurrence.



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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