

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10382 of 2022

Arising Out of PS. Case No.-300 Year-2021 Thana- KAMTAUL District- Darbhanga

Lalu Yadav Son of Mahtab Lal Yadav Resident of Village- Rajaun, P.S.-
Kamtaul, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr.Hemant Kumar, Advocate
For the Opposite Party : Mr.Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 01-04-2022 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

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 Kamtaul P.S. Case No. 300 of 2021 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

It is unfortunate that the petitioner has not mentioned in paragraph 3 of the application as to under what sections of the IPC, he has been made accused in Kamtaul P.S. Case No. 50 of



2020.

On being asked by this Court, learned counsel for the petitioner has stated that it is a case under the provisions of Bihar Prohibition and Excise Act, 2016.

It seems that details of provisions in paragraph 3 of the application have not been given to mislead this Court.

The recovery of illicit liquor has been made from the house of the petitioner, who has criminal antecedent of similar nature

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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