

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12110 of 2022**

Arising Out of PS. Case No.-102 Year-2021 Thana- CHORAUT District- Sitamarhi

LAKSHMI MUKHIYA S/O SURESH MUKHIYA R/o village- Choraut Ward
No. 01, P.S.- Choraut, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Garg
For the Opposite Party/s : Mr.Mohammad Sufyan

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER**

2 01-04-2022 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 Choraut P.S. Case No. 102/2021 registered for the offence under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

The petitioner's name has come in the self inculpatory statement of the person who has been arrested and he has said that the petitioner deals in sale and purchase of illicit liquor.

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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