

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11791 of 2022**

Arising Out of PS. Case No.-293 Year-2020 Thana- DARAUNDA District- Siwan

JITENDRA MAHTO S/O PRITHVI MAHTO R/o village- Marsara Ke
Mathiya, P.S.- Daraunda, District- Siwan- 841238

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brajesh Kumar Singh

For the Opposite Party/s : Mr.Surendra Prasad Singh

**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 Daraunda P.S. Case No. 293/2020 registered for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act and Section 272/273 of the Indian Penal Code.

The petitioner was found involved in selling of illicit liquor and he has been identified by the co-villagers though he was not caught on the spot.

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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