

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11814 of 2022

Arising Out of PS. Case No.-401 Year-2020 Thana- GAURICHAK District- Patna

GUDDU PASWAN S/o Krishna Paswan R/o village- Abdullahchak, Usfa,
P.S.- Gaurichak, District- Patna (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kr Singh No.1

For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

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 Gaurichak P.S. Case No. 401/2020 registered for the offence under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Some persons were selling illicit liquor and when the police reached the place of occurrence, some of them fled away and the persons who have been arrested have named the petitioner in their self inculpatory statement.

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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