

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12159 of 2022**

Arising Out of PS. Case No.-106 Year-2021 Thana- JANDAHA District- Vaishali

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MANISH KUMAR PANDEY @ MANISH PANDEY @ MANISH KUMAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

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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 Jandaha P.S. Case No. 106/2021 registered for the offence under Section 30(a)/38(i)/41(i) of the Bihar Prohibition & Excise Act, 2018.

A huge recovery of 2624.565 litres of illicit liquor was made from a container and the petitioner has been identified as one of the accused who was trying to get out the vehicle from the mud around 07:15 a.m.

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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