

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13499 of 2022**

Arising Out of PS. Case No.-302 Year-2021 Thana- KOTWA District- East Champaran

ASHOK KUMAR RAM @ ASHOK RAM Son of Yadu Ram Resident of
Village- Talwa Pokhar, Ward No. 6, P.S.- Kotwa, District- East Champaran
(Motihari).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar No.1

For the Opposite Party/s : Mr.Meena Singh

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

2 08-04-2022 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 Kotwa P.S. Case No. 302/2021 registered for the offence
under Section 30(a)/32/41(1) of the Bihar Prohibition & Excise
Act, 2016.

Recovery is from the house of the petitioner.

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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