

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13501 of 2022

Arising Out of PS. Case No.-124 Year-2020 Thana- ATHMALGOLA District- Patna

RAJESH KUMAR Son of Sidheshwar Rai Resident of Village- Sabnima
Kabragahpar, P.S.- Athmalgola, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Kumar

For the Opposite Party/s : Mr.Dashrath Mehta

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 Athamalgola P.S. Case No. 124/2020 registered for the offence under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

The petitioner is found involved in the business of illicit liquor and the evidence during investigation supports the same.

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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