

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13160 of 2022**

Arising Out of PS. Case No.-321 Year-2021 Thana- MANIYARI District- Muzaffarpur

LAL BABU SAH @ LAL SAH @ LAL BABU KUMAR S/o Late Ram
Khelawan Sah Resident of Village- Bishanpur Gidda, P.S.- Maniyari, District-
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratneshwar Prasad

For the Opposite Party/s : Mr.Pushpa Sinha. I

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 Maniyari P.S. Case No. 321 of 2021 registered for the
offence under Section 30(a) of the Bihar Prohibition & Excise
Act, 2016.

394.380 litres of illicit liquor was recovered from a
tempo near the house of the petitioner. During investigation, the
name of the petitioner surfaced as one of the persons involved in
the crime.

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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