

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13465 of 2022**

Arising Out of PS. Case No.-14 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Banka

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CHANDU MANDAL @ CHANDRADEO MANDAL Son of Badri Mandal
R/o Village - Kermatand, P.S.- Tundi, Distt.- Dhanwad (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shri Prakash Tiwari
For the Opposite Party/s : Mr. Ashok Kumar

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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 Excise Complaint Case No. 14/2021 registered for the offence under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

A huge quantity of 1305 litres of illicit liquor was recovered from the truck and the petitioner has been named in the self inculpatory statement of the driver.

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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