

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13807 of 2022

Arising Out of PS. Case No.-242 Year-2021 Thana- NARDIGANJ District- Nawada

1. KUNDAN KUMAR @ KUNDAN CHOUDHARY Son of Late Dinanath Chaudhary Resident of Village- Ichua, Police Station - Nardiganj, District - Nawada.
2. Raju Chaudhary Son of Vijay Chaudhary Resident of Village - Mohgain, Police Station - Sirdala, District - Nawada.
3. Manti Devi Wife of Raju Chaudhary Resident of Village - Mohgain, Police Station - Sirdala, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar

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

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 08-04-2022 Heard learned counsel for the parties.

Learned counsel for the petitioners 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 Nadriganj P.S. Case No. 242/2021 registered for the offence under Section 30(a)/30(d)/41 of the Bihar Prohibition & Excise Act, 2016.

Petitioners No. 1 and 3 have criminal antecedents. The recovery is from the bank of the village and the entire family has been named by the local *Chowkidar* as having been



involved in the illegal business of liquor.

In view of the fact that *prima facie* a case under the Excise Act, is made out against the petitioners, this application for grant of anticipatory bail to the petitioners 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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