

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13495 of 2022

Arising Out of PS. Case No.-48 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- West Champaran

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SANTOSH SAH S/o Jiut Sah Resident of Bhsurari, Ward No. 15, P.S. -
Shikarpur, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Tapeshwar Sharma

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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 Case No. 48/2021 registered for the offence under
Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Recovery of liquor is from the shop of the petitioner
and the explanation furnished by the petitioner cannot be
accepted.

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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