

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15442 of 2022

Arising Out of PS. Case No.-453 Year-2021 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Munna Kumar @ Swaraj Kumar Son of Subodh Ray Resident of Village -
Dadpur Chaknoor, P.s.- Samastipur (Muffasil), Distt.- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sinha, Advocate.
For the Opposite Party/s : Mr. Umeshanand Pandit, APP.

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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.

The petitioner seeks anticipatory bail in connection
with Samastipur (Muffasil) P.S. Case No. 453/2021, registered
for the offences under Sections 385, 387 of the Indian Penal
Code read with Section 37(a), 137(d) of Bihar Prohibition and
Excise Act.

The petitioner is alleged to be organizing liquor party
and posting video of the liquor party and himself holding illegal
arms. In this kind of offence petitioner does not deserve
anticipatory bail.



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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