

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15438 of 2022

Arising Out of PS. Case No.-272 Year-2021 Thana- AURANGABAD TOWN District-
Aurangabad

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Ashok Kumar Yadav @ Ashok Son of Lal Mohan Yadav Resident of Village-
Kachar, P.S.- Dumariya, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhav Raj, Advocate.
For the Opposite Party/s : Mr. Nand Kumar, 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 Aurangabad Town P.S. Case No. 272/2021, registered for
the offences under Sections 30(a) of Bihar Prohibition and
Excise Act.

7350 litres of illicit liquor has been recovered from
the truck. The petitioner has been named in the self inculpatory
statement of a co-accused.

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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