

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15764 of 2022

Arising Out of PS. Case No.-163 Year-2021 Thana- BATHNAHA District- Sitamarhi

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Pintu Kumar Son of Suresh Sah Resident of Village- Lachhua, P.s.- Bathnaha,
Distt.- Sitamarhi, at Present R/o Village - Vishanpur @ Bishanpur, P.s.-
Bathnaha, Distt.- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate.

For the Opposite Party/s : Mr. 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 Bathnaha P.S. Case No. 163/2021, registered for the
offences under Sections 30(a) of Bihar Prohibition and Excise
(Amendment) Act 2018.

The petitioner has been named in the self inculpatory
statement of co-accused from whom the recovery was made.

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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