

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18525 of 2022

Arising Out of PS. Case No.-34 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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DINESH KUMAR Son of Late Sagar Mahto Resident of Village - Chhoti
Pahadi, P.O.- Badi Pahadi, P.s.- Agam Kuan, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar
For the Opposite Party/s : Mr. Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 22-04-2022 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 Agamkuan P.S. P.R. No. I-34 of 2021 registered for the
offence under Section 30(a) of the Bihar Prohibition & Excise
Act, 2016.

The recovery of 109.950 litres of illicit liquor is from
a room which has been found to be owned by the petitioner.

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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