

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18533 of 2022

Arising Out of PS. Case No.-163 Year-2021 Thana- KARAHGAR District- Rohtas

1. DEEPAK KUMAR Son of Binod Singh Resident of Village- Kachanpur, P.S.- Sasaram, District- Rohtas.
2. Bitan Kumar @ Bittal Kumar @ Prince Kumar Son of Krishna singh Resident of Village- Kachanpur, P.S.- Sasaram, District- Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rupa Kumari

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 22-04-2022 Heard learned counsel for the parties.

Learned counsel for the petitioners 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 Kargahar P.S. Case No. 163/21 registered for the offence under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

The recovery of 361.800 litres of illicit liquor has been made. Though, both the petitioners have been named in the self inculpatory statement of the co-accused, but the materials collected during the investigation show the complicity



of these petitioners with the crime.

In view of the fact that *prima facie* a case under the Excise Act, is made out against the petitioners, this application for grant of anticipatory bail to the petitioners 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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