

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23834 of 2022

Arising Out of PS. Case No.-87 Year-2022 Thana- GORAUL District- Vaishali

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MUKESH SAH @ MUKESH KUMAR Son of Suresh Sah Resident of
Village - Jirwara, P.S.- Mahua, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh
For the Opposite Party/s : Mr.Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 16-05-2022 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 Goraul (Katahara O.P.) P.S. Case No. 87/2022 registered
for the offence under Section 30(a)/36/41(i) of the Bihar
Prohibition & Excise Act, 2016.

The petitioner has similar antecedent under Excise
Act.

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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