

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30850 of 2022

Arising Out of PS. Case No.-137 Year-2022 Thana- PALASI District- Araria

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MOHAN CHOUDHARY Son of Late Ram Krishan Choudhary Resident of
Village - Lawtoli Bangama, Ward No.- 07, P.S.- Palasi, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh
For the Opposite Party/s : Mr.Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-08-2022 Heard learned counsel for the parties through video
conferencing.

Petitioner apprehends his arrest in a case registered
for the offence under Section 30(a) of the Bihar Prohibition &
Excise Act.

In this case, there is recovery of about 17 liters of
Nepali liquor from the house of this 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.

(Prabhat Kumar Singh, J)

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