

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38050 of 2022

Arising Out of PS. Case No.-193 Year-2022 Thana- BIHTA District- Patna

1. CHAMARI MANJHI @ CHENARI MANJHI @ DOMAN MANJHI Son of Late Tipu Manjhi Resident of Mahmadpur Painal, Ahiyapur Mushahari, P.S.- Bihta, District - Patna.
2. Rajesh Manjhi Son of Suresh Manjhi Resident of Ahiyapur Mushahari, P.S.- Bihta, District - Patna.
3. Vijay Manjhi Son of Raj Balam Manjhi Resident of Mahmadpur Painal, Ahiyapur Mushahari, P.S.- Bihta, District - Patna.
4. Rajendra Manjhi Son of Suresh Manjhi Resident of Mahmadpur Painal, Ahiyapur Mushahari, P.S.- Bihta, District - Patna.
5. Rakesh Manjhi @ Rakesh Kumar Son of Bijendra Manjhi Resident of Ahiyapur Mushahari, P.S.- Bihta, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Hriday Prasad
For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-09-2022 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Section 30 (a), 30(c) 32(ii)/ 34, 36, 41(i) of the Bihar Prohibition & Excise Act.

As per the prosecution case, 20 liter of illicit liquor has been recovered from the house of petitioner No.1, 7 liter from the house of petitioner No.2, 10 liter from the house of petitioner No.3, 10 liter from the house of petitioner No.4 and



10 liter of illicit liquor has been recovered from the house of petitioner No.5.

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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