

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57206 of 2022

Arising Out of PS. Case No.-49 Year-2022 Thana- DORIGANJ District- Saran

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1. Raj Kumar Ray Son of Prayag Ray R/o Village - Balwan Tola, P.S.- Doriganj, District - Saran.
 2. Manish Kumar Son of Surendra Ray @ Surendra Yadav R/o Village - Balwan Tola, P.S.- Doriganj, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nalin Kumar

For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-12-2022 Heard learned counsel for the petitioners and the State through video conferencing.

The petitioners apprehend their arrest in connection with Doriganj PS Case No. 49 of 2022, registered for the offence punishable under sections 30(a), 38 of the Bihar Prohibition and Excise Act.

Total 100 litres of illicit liquor has been recovered from both the Gumti of petitioner no. 1 and petitioner no. 2.

It is submitted that nothing has recovered from conscious possession of petitioners. Petitioners claim clean antecedents.

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 is not maintainable in view of the Full Bench decision of this Court in the case of ***Ram Vinay Yadav Vs. The State of Bihar*** reported in **2019(2) PLJR 1089**.

Accordingly, this anticipatory bail application is dismissed as not maintainable.

(Prabhat Kumar Singh, J)

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