

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71426 of 2021**

Arising Out of PS. Case No.-261 Year-2021 Thana- GAUTAMBUDHNAGAR District-  
Siwan

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1. MANOJ CHAUDHARY Son of Ram Prawesh Chaudhari Resident of Village- Dindayalpur, P.S.- G.B. Nagar, District- Siwan.
  2. Birendra Chaudhary Son of Vishwanath Chaudhary Resident of Village- Dindayalpur, P.S.- G.B. Nagar, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Uday Pratap Singh

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**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

2      22-01-2022                      Heard learned counsel for the parties in virtual Court proceeding.

This application for grant of anticipatory bail arises out of G.B.Nagar P.S.Case No. 261 of 2021 registered for the offence punishable under section 30(a), (d), 34, 36, 38, 41(i) of the Bihar Excise Prohibition ( Amendment) Act 2018.

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)**

N.K/-

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