

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70976 of 2021

Arising Out of PS. Case No.-116 Year-2021 Thana- INDUSTRIAL District- Bhagalpur

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RAKESH KUMAR, Son of Subuk Lal Chaurasiya, Resident of P.S.-
Maheshkhutt, District- Khagaria, State Bihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 22-01-2022 Heard learned counsel for the parties through video
conferencing.

This application for grant of anticipatory bail arises
out of Industrial Area P.S. Case No. 116 of 2021 registered for
the offence under Sections 272, 273, 188/34 of the Indian Penal
Code and under Section 30(a) of the Bihar Prohibition & Excise
Act, 2016.

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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