

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.100 of 2022

Arising Out of PS. Case No.-235 Year-2021 Thana- PAHARPUR District- East Champaran

1. RAJ KISHORE SAHANI, Son of Late Vijay Sahani, Resident of Village - Noneya, P.S.- Paharpur, Distt.- East Champaran.
2. Rakesh Tiwari, Son of Bhagirath Tiwari, Resident of Village - Prurushottampur, P.s.- Majhauriya, Distt.- West Champaran.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Abhishek Kumar, Advocate
For the Opposite Party	:	Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 14-02-2022 Heard learned counsel for the parties through video conferencing.

Learned counsel for the petitioners is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

This application for grant of anticipatory bail arises out of Paharpur P.S. Case No. 235 of 2021 registered for the offence under Sections 30(a), 32, 34, 41(i) of the Bihar Prohibition & Excise Act.

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)

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