

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.728 of 2022

Arising Out of PS. Case No.-351 Year-2021 Thana- DARAUNDA District- Siwan

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1. JHUNNA CHAUDHARY.
 2. SUNIL CHAUDHARY.
Both are sons of Indrajeet Chaudhary.
 3. AJAY MAHTO, Son of Naresh Mahto.
All are Residents of Village - Ragarganj, P.S.- Daraunda, District- Siwan.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Bijay Prakash Singh, Advocate
For the Opposite Party : Mr. Rana Randhir Singh, 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 Daraunda P.S. Case No. 351 of 2021 registered for the offence under Sections 272 and 273 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 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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