

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.748 of 2022

Arising Out of PS. Case No.-216 Year-2021 Thana- DHAMDAHA District- Purnia

Shailendra Mehta S/O Kishun Mehta, R/o village- Koriyani Tola, P.S.-
Dhamdaha, District- Purnea

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Praveen Kumar Agrawal, Advocate
For the Opposite Party : Ms. Pronoti 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 petitioner 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 Dhamdaha P.S. Case No. 216 of 2021 registered for the offence under Sections 21(b), 21(c) of the NDPS Act and under Section 30(a) 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 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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