

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53819 of 2023

Arising Out of PS. Case No.-88 Year-2013 Thana- BHEJA District- Madhubani

BAIJNATH CHOUDHARY @ BAIDHNATH CHOUDHARY Son of Jibachh
Chaudhary Resident of Village-Bheja, P.S.-Bheja, District-Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 28-08-2023 Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends his arrest in a case registered for the offence punishable under Section 272, 273 of the IPC and u/s 47 (A) of the Excise Act.
3. As per prosecution case, 240.335 liter of illicit liquor has been recovered from the shop of this petitioner.
4. 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.)**.
5. Accordingly, this anticipatory bail application is dismissed as not maintainable.

(Prabhat Kumar Singh, J)

BKS/-

U		T	
---	--	---	--

