

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52919 of 2017

Arising Out of PS. Case No.-23 Year-2017 Thana- TISIAUTA District- Vaishali

Rajesh Mahto @ Rakesh Mahto, son of Maheshwar Mahto, resident of village- Dhankaul, P.S. Patepur, District-Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.
For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 09-11-2017 Heard Sri Alok Kumar Alok, learned counsel for the petitioner and learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Tisiauta P.S. Case No.23/2017 registered for the offence under Section 414 of the Indian Penal Code and Sections 30(a)/32(ii)/38(ii)/41(i) of the Bihar Prohibition and Excise Act,2016, has prayed for grant of bail, in the event of his arrest or surrender, purely on the ground of parity.

By way of referring to Annexure-2 to the petition i.e. copy of the order dated 21.09.2017 passed in Cr.Misc.No.42704 of 2017, a prayer has been made for extending the privilege of anticipatory bail to the petitioner also. Learned counsel for the petitioner has argued that the accusation against the petitioner is almost similar like to the accusation against Shiv Kumar



Bhagat, who has been extended the privilege of anticipatory bail. The submission of learned counsel for the petitioner was not disputed by learned counsel for the State.

In view of the fact that in similar circumstance, one of the co-accused has been extended the privilege of anticipatory bail, there is no reason to deny the same prayer of the petitioner. Accordingly, let the petitioner, namely, Rajesh Mahto @ Rakesh Mahto, in the event of his arrest or surrender within a period of six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-II-cum- Spl. Judge, Vaishali, Hajipur in connection with Tisiauta P.S. Case No.23 of 2017, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.I

(Rakesh Kumar, J)

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