

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.765 of 2021**

Arising Out of PS. Case No.-79 Year-2020 Thana- MAHUA District- Vaishali

Shiv Mangal Rai @ Sumangal Kumar Rai, S/o Ramjee Rai, R/o village-  
Manpura, P.S.- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Adv.

For the Opposite Party/s : Mr. APP

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

2      24-06-2021                      Heard Mr. Ramakant Sharma, the learned Senior  
  
Advocate for the petitioner and the learned APP for the  
  
State.

The petitioner seeks bail in anticipation of his  
arrest in connection with Mahua P.S. Case No. 79 of 2020,  
dated 14.02.2020, instituted for the offences under Sections  
30(a), 32(ii), 34(ii), 38(ii) and 41(i) of the Bihar Prohibition  
and Excise (Amendment) Act, 2018.

Notwithstanding the fact that the petitioner has  
been named by an arrested accused person, I am not  
inclined to exercise my discretion for grant of anticipatory



bail to him as he has been made accused in cases of similar nature in the past.

The prayer for grant of anticipatory bail of the petitioner is, accordingly, rejected.

However, if the petitioner surrenders before the Court below and seeks bail, the Court below shall consider the case on its own merits, without being prejudiced by the fact that the present anticipatory bail application has not been entertained by this Court.

The application stands dismissed.

**(Ashutosh Kumar, J)**

Praveen-II/-

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