

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14565 of 2021

Arising Out of PS. Case No.-157 Year-2020 Thana- SIKARPUR District- West Champaran

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RAMSEVAK MAHTO Son of Kashi Mahto Resident of Village - Sofwa,
P.S.- Shikarpur, Dstt.- West Champaran at Bettiah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Upadhyay Saurabh Kumar

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 03-01-2022 Heard the learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Shikarpur P.S. Case No. 157 of

2020 instituted for the offences under Sections 30(a) of the

Bihar Prohibition and Excise Act, 2016.

Nine litres of liquor is said to have been recovered

from the hut of the petitioner.

The learned counsel for the petitioner has

submitted that in the same transaction, 26 litres of liquor

was recovered from the hut of another person but he has

been granted anticipatory bail by a Bench of this Court.



Taking into account the fact that liquor has been recovered from the hut of the petitioner, I am not inclined to grant anticipatory bail to him notwithstanding the fact that a similarly situated person has been granted anticipatory bail by a Co-ordinate Bench of this Court and that the petitioner does not have criminal antecedents.

The prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the Court below and seeks bail, his application shall be considered on its own merits taking into account that similarly situated person has been granted anticipatory bail by a Bench of this Court and an order shall be passed without being prejudiced by the fact that the present petition on his behalf has not been entertained.

(Ashutosh Kumar, J)

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