

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 38102 of 2016

Arising Out of PS.Case No. -16 Year- 2016 Thana -BIHTA District- PATNA

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Kartik Sao S/o Mithu Sao, R/o- Sadishopur, P.S. -Bihta, Distt.- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 09-09-2016 Heard Sri Amresh Kumar Sinha, learned counsel for the petitioner and Sri Madan Kumar, learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Bihta P.S. Case No. 16 of 2016 registered for offence under Sections 414/120(B) of the Indian Penal Code, Sections 47 & 48 of Bihar Excise Act and Sections 2, 3 & 4 of the Bihar Excise (Mahua Flower) Rule, 2006, has prayed for grant of bail in the event of his arrest or surrender, primarily on the ground that one of the co-accused, having similar accusation namely Lalu Saw, has been extended the privilege of anticipatory bail on 14-07-2016, vide Cr. Misc. No. 25647 of 2016.

Learned Addl. Public Prosecutor, though has opposed the prayer for grant of anticipatory bail, he was not in a position to

distinguish the case of the petitioner with co-accused Lalu Saw.

In view of the fact that one of the co-accused, having similar accusation, has been extended the privilege of anticipatory bail, there is no reason to deny the prayer of the petitioner.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Kartik Sao be enlarged 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. Chief Judicial Magistrate, Danapur in connection with Bihta P.S. Case No. 16 of 2016, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

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