

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 42736 of 2017

Arising Out of PS. Case No.-82 Year-2017 Thana- Ujiyarpur District- Samastipur

Rajan Kumar Son of Dilip Narayan Lal Resident of Village - Bhagwanpur
Desua, Police Station - Ujiyarpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gouranga Chatterjee
For the Opposite Party/s : Mr. Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 15-09-2017 Heard Sri Gourganga Chatterjee, learned counsel for the
petitioner and learned Addl. Public Prosecutor.

The sole petitioner, who is in custody since 18-05-2017 in Ujiyarpur P.S. Case No. 82 of 2017 registered for offence under Sections 272, 273, 414 of the Indian Penal Code and Sections 30(a) & 47 of Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail mainly on parity.

Learned counsel for the petitioner submits that at least four accused, almost on similar accusation, have been granted bail by this Court, vide **Annexure – 2** series to the petition i.e. (i) order dated 20-07-2017 in Cr. Misc. No. 33188/2017, (ii) order dated 20-07-2017 in Cr. Misc. No. 33414/2017, (iii) order dated 20-07-2017 in Cr. Misc. No. 33609/2017 and (iv) order dated 03-08-2017 in Cr. Misc. No. 34794/2017 and he submits that



petitioner also deserves the same privilege. Besides this, he has also referred to statement made in paragraph – 3 of the petition to show that petitioner is having clear antecedent.

Learned Addl. Public Prosecutor though, has opposed the prayer for bail on the ground that in the case, there was recovery of huge quantity of Indian make foreign liquor, but he was not in a position to dispute the fact that at least four accused, almost in similar circumstances, have been granted bail.

Accordingly, considering the fact that other four accused persons, almost in similar circumstances, have been granted bail, period of custody and clean antecedent of the petitioner, let the petitioner namely Rajan Kumar 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 6th Additional Sessions Judge-cum-Special Judge, Excise Act, Samastipur in connection with Ujiyarpur P.S. Case No. 82 of 2017.

(Rakesh Kumar, J.)

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