

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35551 of 2017

Arising Out of PS. Case No.-12 Year-2017 Thana- BIRPUR District- Supaul

Rajbul @ Rajabul @ Md. Rajbul, son of Basir, resident of Village- Balua Bazar, P.S.- Balua Bazar, District- Supaul.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Amar Nath Yadav, Adv.

For the Opposite Party/s : Mr. Umesh Lal Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 15-09-2017 Heard Sri Amar Nath Yadav, learned counsel for the petitioner and Sri Umesh Lal Verma, learned Addl. Public Prosecutor.

The sole petitioner, who is in custody since 02.05.2017 in Birpur P.S. Case No.12/2017 corresponding to Special Case No.02/2017 registered for the offence under Sections 420, 120(B) of the Indian Penal Code, Sections 38(1), 41(1)(2) of the Bihar Prohibition and Excise Act, 2016 and Sections 22(a)/23 of Narcotic Drugs and Psychotropic Substance Act, has prayed for grant of bail primarily on the ground of parity.

It was submitted by learned counsel for the petitioner that one of the co-accused Vikrant Viplav @ Vikrant has been granted bail by order dated 08.04.2017 passed in Cr.Misc.No.14245 of 2017 by a Bench of this Court. It has been



argued that the petitioner's case stands on better footing than the co-accused Vikrant Viplav @ Vikrant. He submits that Vikrant Viplav, against whom there was allegation of using the vehicle after taking the same on hire and smuggling of narcotics and nepali liquor from the said vehicle, whereas petitioner's name has surfaced on disclosure of some of the witnesses, though the petitioner was not apprehended at the place of occurrence. He submits that falsely, the petitioner was made accused. Learned counsel for the petitioner, by way of referring to the statement made in paragraph-3 of the petition, submits that the petitioner is having clean antecedent.

Learned Addl. Public Prosecutor has opposed the prayer for bail of the petitioner, but he was not in a position to dispute that the petitioner's case stands on better footing than the co-accused Vikrant Viplav @ Vikrant , who has already been granted bail.

Considering the fact that co-accused, almost on similar circumstances, has been granted bail, there is no reason to deny the prayer for bail of the petitioner. Let the petitioner, namely, Rajbul @ Rajabul @ Md. Rajbul 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



Sessions Judge, Supaul in connection with Birpur P.S. Case
No.12/2017 corresponding to Special Case No.02/2017.

(Rakesh Kumar, J)

nawalkrs/-

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