

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 37634 of 2017

Arising Out of PS. Case No.-147 Year-2017 Thana- Lauriya District- West Champaran

Rakesh Prasad Gupta Son of Vishwas Prasad, R/o Narkatiya, P.S.- Shikarpur,
District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 22-11-2017 Heard Sri Bimlesh Kumar Pandey, learned counsel for
the petitioner and learned Addl. Public Prosecutor.

The sole petitioner, who is having clean antecedent as stated in paragraph – 3 of the petition apprehending his arrest in Lauriya P.S. Case No. 147 of 2017 registered for offence under Sections 272, 273, 420, 467, 468, 471, 120(B)/414 of the Indian Penal Code and Section 30(a), 35(a), 36, 38, 41, 47 of the Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail in the event of his arrest or surrender.

At the very outset, learned counsel for the petitioner submits that petitioner deserves to be granted privilege of anticipatory bail on the ground of parity. By way of referring to order dated 17-10-2017 passed in Cr. Misc. No. 46922 of 2017 and order dated 09-11-2017 passed in Cr. Misc. No. 53718 of 2017 by this Court, learned counsel for the petitioner submits



that in similar circumstances, at least two accused persons have been extended the privilege of anticipatory bail. Accordingly, the petitioner too deserves same privilege.

Besides this, it has been argued that petitioner has been made accused only on the ground that his motorcycle was parked at a place and it was shown that about 8 liters of foreign liquor was put on the motorcycle.

Be that as it may, since other two accused, almost in similar circumstances, have been extended the privilege of anticipatory bail, there is no reason to refuse the same privilege to the petitioner.

Accordingly, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner namely Rakesh Prasad Gupta 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 Special Judge, Excise, Bettiah, West Champaran in connection with Lauriya P.S. Case No. 147 of 2017, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

anay

U		T	
---	--	---	--

