

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28478 of 2018

Arising Out of PS. Case No.-74 Year-2018 Thana- ROSERA District- Samastipur

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Fuchan Rai @ Fuchan Ray, son of Ayodhya Ray, resident of
village- Madhuban, Ward No.10, P.S. Khanpur, District-
Samastipur

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Sri Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

2 08-05-2018 Heard Sri Bijay Bhushan Prasad, learned counsel for
the petitioner and Sri Suresh Prasad Singh, learned Addl. Public
Prosecutor.

The sole petitioner, having clean antecedent, which
fact has been stated in paragraph-3 of the petition, who is in
custody since 08.03.2018, has prayed for grant of bail in Rosera
P.S. Case No.74 of 2018 registered for the offence under
Sections 47, 30(a), 38(1) of the Bihar Prohibition and Excise
Act, 2016.

It was submitted by learned counsel for the petitioner
that the petitioner was a passenger on a tempo, which was
intercepted by the police and one of the occupants, who was
carrying cartoon containing huge quantity of Indian Make



Foreign Liquor, started fleeing away and he was apprehended. He submits that since the petitioner was occupant of the tempo was also arrested along with other two accused persons including Shiv Chandra Jha, who was actual owner of the seized article. He submits that Shiv Chandra Jha has already been granted bail by this Court vide Cr.Misc.Nos 25512 of 2018 . He further submits that one another passenger like the petitioner has also been granted bail vide Cr.Misc.No.28184 of 2018.

In view of facts and circumstances, particularly the fact that other two accused persons in similar circumstances have been granted bail, there is no reason to refuse the same relief to the petitioner. Accordingly, let the petitioner, namely, Fuchan Rai @ Fuchan Ray, 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 3rd Addl. Sessions Judge-cum-Special Judge, Excise Act, Samastipur in connection with Rosera P.S. Case No.74 of 2018.

(Rakesh Kumar, J)

nawalkrs/-

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