

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32938 of 2018

Arising Out of PS. Case No.-412 Year-2017 Thana- TAJPUR District- Samastipur

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Ajay Ray @ Ajay Rai @ Ajay Kumar Rai , son of Nirasan Ray, resident of village- Chak Haidar , Motipur, P.S.- Tajpur, District- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rana Sanjay Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 26-06-2018 Heard Sri Rana Sanjay Kumar Singh, learned counsel

for the petitioner and Sri Ram Sewak Choudhary, learned Addl.

Public Prosecutor.

The sole petitioner, apprehending his arrest in Tajpur P.S. Case No.412 of 2017 registered for the offence under Sections 272, 273 of the Indian Penal Code and Sections 30(a), 38(1), 38(2), 41(1), 41(2), 42(2) 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 has drawn my attention to the statement made in paragraph-3 of the petition to show that the petitioner is having clean antecedent. The petitioner has also prayed for grant of anticipatory bail on the ground of parity. Learned counsel for the



petitioner submits that one of the co-accused, namely, Harish Chandra Singh, having similar accusation, has already been extended the privilege of anticipatory bail on 23.04.2018 vide Cr.Misc.No.23484 of 2018. Besides this, it has been argued that save and except confessional statement of co-accused, there is no other material to connect the petitioner.

Be that as it may, in view of the fact that one of the co-accused, having similar accusation, has already been extended the privilege of anticipatory bail, there is no reason to pass a different order in the present case. Accordingly, in the event of his arrest or surrender within six weeks from today, let the petitioner, namely, Ajay Ray @ Ajay Rai @ Ajay Kumar Rai 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 3rd Addl. Sessions Judge-cum- Special Judge, Excise, Samastipur in connection with Tajpur P.S. Case No.412 of 2017, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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