

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 62622 of 2018

Arising Out of PS. Case No.-202 Year-2018 Thana- Kasba District- Purnia

Md. Nadim Son of Md. Faruk Resident of Village- Dewdha, P.S. Kasba,
District-Purnea.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

2. 08-10-2018 Heard Sri Praveen Kumar Agrawal, learned counsel
for the petitioner and Dr. Mrityunjay Kumar Gautam, learned
Addl. Public Prosecutor.

The sole petitioner, having clean antecedent, which
fact has been stated in paragraph – 3 of the petition,
apprehending his arrest in Special (Excise) Case No. 712 of
2018, arising out of Kasba P.S. Case No. 202 of 2018 registered
for offence under Sections 272, 273, 34 of the Indian Penal
Code and Section 30(a) of Bihar Prohibition and Excise Act,
2016, has prayed for grant of bail in the event of his arrest or
surrender, purely on the ground of parity.

Learned counsel for the petitioner submits that other
two accused, in similar circumstance, have been granted
anticipatory bail. He submits that one of the accused namely
Aryman @ Chintu @ Kumar Aryaman was granted anticipatory
bail on 28-09-2018, vide Cr. Misc. No. 60247 of 2018 and
another accused namely Chandan Kumar Yadav @ Chandan



Yadav has been extended the privilege of anticipatory bail by order dated 26-09-2018, vide Cr. Misc. No. 55748 of 2018. It has been reiterated that petitioner's case is exactly similar to the case of other two accused.

Learned Addl. Public Prosecutor has opposed the prayer for grant of anticipatory bail, however; he has not disputed the fact that other two accused, in similar circumstance, have been extended the privilege of anticipatory bail.

Accordingly, there is no reason to pass a different order in the present case.

In the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Md. Nadim 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 IInd Additional Sessions Judge-cum-Special Judge, Purnea in connection with Kasba P.S. Case No. 202 of 2018 vide Special (Excise) Case No. 712 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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