

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 31676 of 2018

Arising Out of PS. Case No.-428 Year-2017 Thana- Government Official Comp. District-
Muzaffarpur

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Sajjan Sah, Son of Late Bhadai Sah, Resident of Village- Chandrahia and
Mohanpur, P.S.- Kudhani, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Sri Kumar Virendra Narayan

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 27-06-2018 Heard Sri Sheo Kumar Prasad, learned counsel for
the petitioner and Sri Kumar Virendra Narayan, 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 Excise Case No. 428 of 2017,
registered for offence under Sections 30(a), 32(2), 38 & 41 of
Bihar Prohibition and Excise Act, 2016, has prayed for grant of
bail in the event of his arrest or surrender, primarily on the
ground of parity.

It was submitted by learned counsel for the petitioner
that co-accused, in similar circumstance, have been granted bail.
He submits that by order dated 15-03-2018 passed in Cr. Misc.



No. 14977 of 2018, co-accused namely Binod Sah and Raja Sahni have been extended the privilege of anticipatory bail. He further submits that in this case, nothing was recovered from conscious possession of the petitioner, rather in the case, recovery was effected from a bamboo orchard, not belonging to the petitioner.

Considering the fact that co-accused in similar circumstance have 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 a period of six weeks from today, let the petitioner namely Sajjan Sah 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, Muzaffarpur in connection with Excise Case No. 428 of 2017, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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