

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 62684 of 2018

Arising Out of PS. Case No.-87 Year-2018 Thana- Rajepur District- East Champaran

Santosh Kumar, Son of Lalbabu Yadav, resident of Village- Pipra Eman, P.S. Madhuban, District East Champaran.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 08-10-2018 Heard Sri Sanjay Kumar, learned counsel for the petitioner and Sri Mritunjay Kumar Nirala, 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 Rajepur P.S. Case No. 87 of 2018 registered for offence under Sections 414, 120(B), 34 of the Indian Penal Code, Sections 25(1-B)A, 26, 35 of the Arms Act, 1959 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 persons namely Ajay Rai @ Ajay Kumar and Vijay Rai @ Vijay Kumar, against whom there was similar accusation, have been granted anticipatory bail by this Court, vide order dated 04-09-2018 passed in Cr. Misc. No. 53344 of 2018. He



submits that petitioner's case is exactly similar to the case of other two accused persons.

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

Considering the fact that in similar circumstance, other two accused persons have been granted anticipatory bail, there is no reason to pass a different order in the present case.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Santosh Kumar 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 Additional Sessions Judge 7th -cum-Special Judge of Excise, East Champaran, Motihari in connection with Rajepur P.S. Case No. 87 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

anay

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

