

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38247 of 2018

Arising Out of PS. Case No.-497 Year-2017 Thana- GANDHIMAIDAN District- Patna

Raju Mian @ Md. Raju, S/o -Samshu Mian, R/v- Bakarganj, P.S.- Pirbahore,
Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha
For the Opposite Party/s : A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 04-07-2018 Heard Sri Vijay Kumar Sinha, learned counsel for
the petitioner and learned Additional Public Prosecutor.

The sole petitioner, apprehending his arrest in connection with Gandhi Maidan P.S. Case No. 497 of 2017, Special Case No. 7502 of 2017 , registered for the offence under Section 30(a), 37(a), 38(a) and 41(a) 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 no. 3 of the petition to show that petitioner is having clean antecedent. He further submits that in similar circumstances two accused persons have already been extended the privilege of anticipatory bail on 28.02.2018 vide Cr. Misc. No. 12356 of



2018. Learned counsel for the petitioner has argued that even petitioner has been made accused only on suspicion or source information by Police.

Be that as it may, considering the fact that petitioner is having clean antecedent , which fact has been stated in paragraph no. 3 of the petition as well as the fact that in similar circumstances other two accused have been extended 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 petitioner Raju Mian @ Md. Raju be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna / concerned court in connection with Gandhi Maidan P.S. Case No. 497 of 2017, Special Case No. 7502 of 2017 subject to the conditions as contemplated under Section 438 (2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J)

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