

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48915 of 2019

Arising Out of PS. Case No.-598 Year-2018 Thana- GOPALGANJ TOWN District-
Gopalganj

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JUGUNU SAH @ JUGUNU KUMAR SAH Son of Ramchandra Sah
Resident of Village- Sundarpatti, P.S. and District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey No.5, Advocate
For the Opposite Party/s : Mr.Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking anticipatory
bail in connection with Gopalganj Town P.S. Case No. 598 of 2018
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition & Excise Act.

Learned counsel for the petitioner submits that the name
of the petitioner has transpired in the confessional statement of co-
accused. It is submitted that save and except the said confessional
statement, there is no other material to connect the petitioner with
the present case. One of the similarly situated co-accused namely,
Deepak Kumar @ Deepak Kumar Singh has been granted
privilege of anticipatory bail by a learned co-ordinate Bench of
this Court in Cr. Misc. No. 6466 of 2019.



Learned counsel for the State submits that even though the case of the petitioner seems to be similarly situated with that of the co-accused Deepak Kumar @ Deepak Kumar Singh, since the petitioner has got a criminal antecedent having one case of similar nature, the privilege of anticipatory bail may be denied to the petitioner.

Having heard learned counsel for the parties, considering that the petitioner has got a criminal antecedent having one case of similar nature, this Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

However, finding that learned APP has submitted that the case of the petitioner is similarly situated to the co-accused Deepak Kumar @ Deepak Kumar Singh, this Court directs that in case the petitioner surrenders and prays for regular bail in the court below within a period of four weeks from today, his prayer for regular bail shall be considered on its own merit, keeping in view the similarity of the case of the petitioner with the case of co-accused Deepak Kumar @ Deepak Kumar Singh and an appropriate order shall be passed by the court below.

The application stands disposed of.

(Rajeev Ranjan Prasad, J)

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