

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.56944 of 2018

Arising Out of PS.Case No. -77 Year- 2018 Thana -MOHIUDDIN NAGAR District-
SAMASTIPUR

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Dilip Chaudhri @ Dilip Chaudhary, S/O Shankar Choudhary, R/V-
Madudabad, P.S. Mohiuddinnagar, District-Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pramod Kumar Singh, Advocate.

For the Opposite Party : Mr. Aditya Narayan Singh 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-09-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 147, 148, 149, 341, 323,
307, 332, 333, 337, 353, 427, 504, 506 of the IPC and 45 of the
Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that on secret
information received by the informant that the wine has been sold
in a Toddy shop, he checked the said shop on which the shop
keeper abused and threatened to assault the informant. Thereafter
the matter was pacified. When the informant was returning, 60-70
persons having Lathi, Danda, Bricks-bats and rod in their hands
surrounded the police jeep and assaulted the informant and other
police personnels causing injury and also damaged the jeep.



It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner alleged to be one of the persons who was protesting against the police. His name has come in the present case due to mistake of fact. He was not present at the place of occurrence. There is no recovery of liquor in the present case. The petitioner had no knowledge regarding the alleged incident.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-6th-cum-Special Judge, Excise Act, Samastipur, in connection with Mohiuddinnagar P.S. Case No. 77 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)