

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30889 of 2020

Arising Out of PS. Case No.-13 Year-2020 Thana- SIWAIPATTI District- Muzaffarpur

Vishwnath Chaudhary, aged about 43 years, male, Son of Late Kapildev Chaudhary, Resident of Village-Sewaipatti, P.S.-Siwaipatti, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Adv.

For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 23-12-2020 Heard Mr. Nachiketa Jha, learned counsel for the petitioner and Mr. Bharat Lal, learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Siwaipatti P.S. Case No. 13 of 2020, dated 22.02.2020, instituted for the offences under Sections 272, 273, 420 and 34 of the Indian Penal Code and sections 30(a) and 36 of the Bihar Prohibition and Excise Act, 2016.



It appears that liquor was recovered from a shop belonging to someone else.

It has been submitted on behalf of the petitioner that he has been made accused in this case on mistaken identity that the place of recovery belongs to him. It has further been submitted that the petitioner has been falsely implicated in this case at the instance of one Indra Bhusan Singh, who is one of the seizure-list witnesses. Aforesaid Indra Bhusan Singh has falsely implicated the petitioner for some land dispute which he was having with him. The petitioner has clean antecedents.

Learned counsel for petitioner submits that, thus, no case under the Excise Act can at all be said to be made out against him.

Regard being had to the facts afore-stated, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to



the satisfaction of learned Special Judge, Excise Act,
Muzaffarpur, in connection with Siwaipatti P.S. Case No. 13
of 2020, subject to the conditions laid down under Section
438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

Praveen-II/-

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