

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30577 of 2022**

Arising Out of PS. Case No.-320 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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SHIV CHANDRA MAHTO @ SHIV CHANDRA CHAUDHARI SON OF
LATE SONELAL CHAUDHARI R/O VILLAGE- MAHMADPUR, P.S.-
HALAI O.P., SAMASTIPUR, DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh, Advocate

For the Opposite Party/s : Mr. Arun Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 16-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 30(a) and
38(1) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the
petitioner has antecedent of one case and allegation is of
recovery of 10 litre of toddy from the hut of the petitioner. The
learned counsel next submits that the hut from which the alleged
toddy is said to have been recovered does not belong to the
petitioner and the police in order to save the real culprits
showed the place of occurrence as the house of the petitioner
when admittedly the petitioner is not living in a hut, it is further



submitted that the petitioner came to be implicated based on secret information, which is easiest way to implicate someone to save the real culprits.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Excise P.S. Case No. 320 of 2017 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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