

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25757 of 2023

Arising Out of PS. Case No.-384 Year-2021 Thana- DALSINGHSARAI District- Samastipur

SHIVAM CHAUDHARY @ SHIVAM CHOUDHARY @ SHIVAM KUMAR
SON OF VIJAY CHOUDHARY @ VIJAY KUMAR CHAUDHARY
RESIDENT OF VILLAGE - MATHURAPUR, HARISHANKARPUR, P.S. -
DALSINGHSARAI, DISTT. - SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-05-2023 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 Section 30(a) of the
Bihar Excise Act.

Learned counsel for the petitioner submits that the
petitioner has antecedent of seven cases and allegation is of
recovery of 88.875 liters of liquor from field of Ramdev
Choudhary.

Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and he came to be
implicated based on disclosure made by the villager, but then
the F.I.R. does not record the name of the villager who disclosed



the name of the petitioner which creates doubt with regard to the veracity of the allegation as alleged in the F.I.R. It is next submitted that even the alleged recovery is from a place which does not belong to the petitioner. It is further submitted that police falsely implicated the petitioner because of his antecedent.

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. 40,000/- (Rupees Forty Thousand) 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 Dalsinghsarai P.S. Case No. 384 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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