

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78354 of 2023

Arising Out of PS. Case No.-572 Year-2022 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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SITA RAM MAHTO S/O RAMVILASH MAHTO R/O- WARD NO. 12,
LAGUNIA SURYAKANTH, MUFFASIL THANA, SAMASTIPUR BIHAR-
848101

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Piyush Kumar Pandey, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-12-2023 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 147, 149, 341, 323,
332, 333, 306, 353 of the Indian Penal Code.

3. The prosecution case, in brief, is that
on the basis of the secret information that illicit *chulai* country
made liquor is being manufactured and sold, the informant along
with other police personnel went to the alleged place of occurrence
where the local people, 16 named and 7 to 8 unknown miscreants
surrounded the police force and attacked upon them, due to which
three police personnel got injured.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. No



such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Similarly situated co-accused have been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 30.08.2023 in Cr. Misc. No. 56396 of 2023. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, the similarly situated co-accused have been granted anticipatory bail, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Samastipur (Mofussil) P.S. Case No. 572 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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