

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32239 of 2022

Arising Out of PS. Case No.-140 Year-2022 Thana- TAJPUR District- Samastipur

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RUPESH SAHNI @ RUPESH KUMAR SON OF BUTAN SAHNI R/O
VILLAGE- HASANPUR SURAT, P.S.- PATORI, DISTRICT-
SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 21-10-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272, 273 and 34 of the Indian Penal Code read with Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 18 litres liquor from a Maruti Suzuki Zen car.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and he came to be implicated based on secret information which is the easiest way



to implicate an innocent person when admittedly the petitioner is a person with clean antecedent.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that the petitioner has not specified whether the car belongs to him or not.

In view of the submissions made by the learned A.P.P. for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner. His prayer for bail is thus rejected.

However, if the petitioner surrenders before the learned trial court on or before 23.11.2022, the learned trial court shall dispose of the case on the same day keeping in mind the fact that the petitioner is a person with clean antecedent and the allegation of recovery is of a meagre amount and he was also not found at the place of occurrence.

(Satyavrat Verma, J)

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