

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28130 of 2023

Arising Out of PS. Case No.-378 Year-2022 Thana- GOPALGANJ TOWN District-
Gopalganj

=====

RAVI KUMAR GUPTA Son of Vijay Prasad Ward No.- 16, Chandra Gokhul
Road, P.S.- Gopalganj, District - Gopalganj, Bihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Ramanuj Tiwary, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, in the present case, is seeking pre-arrest bail in connection with Gopalganj Town P.S. Case No. 378 of 2022 registered for the offences punishable under Sections 420, 467, 348, 471, 474, 34 of the Indian Penal Code. He has no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant, who is a Inspector of Police-cum-S.H.O., Gopalganj, has alleged that the customers and retailers were using the SIM cards of the telecom companies by obtaining the SIM card from fake documents. It transpires that petitioner being the proprietor of Ravi Mobile Centre sold SIM cards to the customer (mobile No.



6209223037) by obtaining forged and fabricated documents. The informant further alleged that petitioner was made accused for selling and purchasing of the SIM cards of the Telecom Companies on the basis of forged documents, hence, the F.I.R.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that petitioner has sold SIM card to customer mobile No. 6209223073 and not the present SIM card which is mentioned in the impugned order.

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

Having regard to the facts and circumstances of the case wherein it is submitted that this petitioner had sold SIM card of mobile no. 6209223073 and not the present SIM card which is mentioned in the impugned order, he had sold on the basis of the documents provided to him and it was the responsibility of the telecom company to verify the genuineness of those documents, the petitioner has otherwise no criminal antecedent, hence, this Court directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of



the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Gopalganj Town P.S. Case No. 378 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

U		T	
---	--	---	--

