

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35290 of 2023

Arising Out of PS. Case No.-79 Year-2018 Thana- CHANPATIA District- West Champaran

RUPAM KUMAR @ SONU GUPTA SON OF SANJAY KUMAR GUPTA
RESIDENT OF VILLAGE- CHRISTAN QUARTER, PS- BETTIAH TOWN,
DISTT- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar Sinha

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 09-08-2023 1. 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 Section 30(a) of the Bihar Prohibition and Excise Act and Section 25(1-b)a, 26 and 35 of the Arms Act.
3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 34.56 liters of liquor from a Hyundai i20 car and one loaded country-made pistol was recovered from possession of Rajesh Sahni and from the possession of Amit Kumar also one loaded country-made pistol was recovered.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that petitioner was not arrested from the place of occurrence, as such, nothing was recovered from his conscious possession and he came to be implicated based on the fact that he is owner of Hyundai i20 vehicle.
5. It is next submitted that no prudent person would use his own vehicle for committing an occurrence and thus would create evidence against himself and hence would get implicated, it is further submitted that petitioner was completely unaware that Rajesh and Amit who are known to him and had taken his vehicle would misuse the vehicle in the manner as alleged, when petitioner admittedly is a person with clean antecedent.
6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.
7. 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. 20,000/-



(Rupees Twenty 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 Chanpatiya (Sirisiya O.P.) P.S. Case No. 79 of 2018 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. One of the bailor of the petitioner shall be his father Sanjay Kumar Gupta.

(Satyavrat Verma, J)

harshpandey/-

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