

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58661 of 2022

Arising Out of PS. Case No.-395 Year-2022 Thana- MOHANIYA District- Kaimur (Bhabua)

TULASI GUPTA @ TULSI PRASAD GUPTA Son of Late Munib Sah
@Munib Prasad Residence of village - Awari, P.S.- Mohania, District -
Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan
For the Opposite Party/s : Mr. Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-01-2023 Heard the parties.

Learned counsel for the petitioner is directed to remove
the defects within four weeks.

Learned APP for the State filed a counter affidavit in the
Court. Let the same be accepted and kept on record.

The petitioner apprehends his arrest in a case registered
for the offence punishable under section 3/5 of the Immoral
Traffic (Prevention) Act.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and have committed no offence. He
has been falsely implicated in this case. No such occurrence, in
the manner as alleged, has ever taken place. The allegation
levelled against the petitioner is not specific rather general and



omnibus in nature. He submits that the petitioner is not the owner of the said hotel, it is also clear from counter-affidavit filed by the learned APP for the State. There is no specific overt act against the petitioner. He further submits that similarly situated co-accused has been granted bail by a co-ordinate Bench of this Court vide order dated 12.01.2023 passed in Cr. Misc. No.65878 of 2022. Petitioner has no criminal antecedent.

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

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his/her 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 Mohania P.S. Case No.395 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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