

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68975 of 2023

Arising Out of PS. Case No.-685 Year-2023 Thana- SHERGHATI District- Gaya

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TARKESHWAR SHARMA @ TALKESHWAR SHARMA Son of Late
Lakhan Thakur @ Ram Lakhan Thakur R/o vill - Bajrahi, P.S. - Magadh
Medical, Dist. - Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shruti Sinha

For the Opposite Party/s : Mr. Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 01-11-2023 1. Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Sherghati Police Station Case No. 685 of 2023, dated
27.06.2023, disclosing offences under Sections 384/385
of the Indian Penal Code.
3. The prosecution case, as per the First Information Report,
is that the petitioner is working as private driver at Excise
Office, P. S. Sherghati, Gaya and on 27.06.2023, First
Information Report has been lodged on the basis of viral
video on social media, showing that the petitioner was
forcibly collecting money from private vehicles in the
name of excise department.



4. Learned counsel for the petitioner submits that the petitioner is a private driver and has been made accused merely on the basis of viral video on social media and the authenticity of which has not been ascertained and except the video there is no other eye witnesses to the incident. He further submits that the fact has not been verified or certified by the Forensic Science Laboratory.
5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner, in the viral video, has been shown forcibly collecting money in the name of excise department from the private vehicles and this Court is not holding any trial at the time of hearing the anticipatory bail, accordingly, I am not inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

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