

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36601 of 2025

Arising Out of PS. Case No.-291 Year-2023 Thana- PUPRI District- Sitamarhi

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Gupesh Sah @ Gopesh Sah @ Gopesh Kumar S/o Jawahar Sah Resident of
village- Barri Ward No.7, old ward no.2, PS- Benipatti, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Garg, Advocate
For the Opposite Party/s : Mr. Sucheta Yadav, A.P.P

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-06-2025 Heard Learned counsel for the petitioner and Learned
APP for the State.

2. The petitioner is apprehending arrest in connection
with Pupri P.S. Case No. 291 of 2023 lodged on 09.07.2023, for
the offence punishable under Section 392 of the Indian Penal
Code.

3. As per the prosecution, FIR has been lodged against
3-4 unknown persons against whom there is an allegation that
they have assaulted the informant by fists, slaps and pistol and
took his car in which original documents of the vehicle, PAN
Card, Aadhar Card, License, ATM Card and cash of Rs. 4,000/-
were kept.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that from the allegation made in the FIR, it become crystal clear that the FIR has been lodged against unknown persons and name of petitioner has come in this case only by virtue of the confessional statement of co-accused person namely, Rakesh Mishra. Counsel submits that on the confessional statement of the said Rakesh Mishra, alleged car was recovered from a garden and a mobile phone was also recovered from his possession. Counsel submits that nothing has been recovered from the petitioner's possession nor he was put on TIP. Counsel further submits that the criminal antecedent of the petitioner is not clean as there is one case pending against him under SC/ST Act in which he is on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the Bharatiya Nagarik Suraksha



Sanhita, 2023 to the satisfaction of S.D.J.M., Pupri, Sitamarhi, in connection with Pupri P.S. Case No. 291 of 2023, subject to the conditions as laid down U/s 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with further condition that the petitioner shall appear every month before the concerned police station which shall continue for 1 year.

(Dr. Anshuman, J)

Divyansh/-

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