

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4416 of 2019

Arising Out of PS. Case No.-258 Year-2018 Thana- SHEOHAR District- Sheohar

Lal Babu Rai aged 22 years, gender male, son of Rameshwar Rai, resident of
Village - Bhorhan, P.s. - sheyampur Bhatahan, District Sheohar

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Anisur Rahman

For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-01-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 290, 420 of the I.P.C. as well as Section 11 of the Public Gambling Act, 1867 and Sections 37(A) and 37(C) of the Bihar Prohibition and Excise Act, 2016.

Accusation is that the accused persons including the petitioner were playing gambling and selling liquor.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused due to mistake of fact. No liquor is alleged to have been recovered in the present case. Co-accused was apprehended in drunken state and on his disclosure the name of the petitioner has appeared in the



present case. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District and Sessions Judge II-cum-Special Judge, Sheohar in connection with Sheohar P.S. case No.258 of 2018 (G.R. No.997 of 2018), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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