

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16778 of 2019

Arising Out of PS. Case No.-20 Year-2019 Thana- JAKKANPUR District- Patna

LALBABU CHAUDHARY S/O Ram Lakhan Chaudhary, Resident of Village
Purani Jakkanpur Shivaji Nagar Devi Asthan P.S.- Jakkanpur, District- Patna.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Ajay Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 15.01.2019 in a case registered for the offences punishable under Sections 419, 420, 290, 120B,34 of the Indian Penal Code, Section 11 of the Public Gambling Act, 1867 and Sections ¾ of the Bihar Ban on Lottery Act, 1993.

The prosecution case got initiated on the basis of written report of A.S.I. Sitaram Kuwar, submitted before the Station House Officer, Jakkanpur Police Station is to the effect after having received a secret information, the informant raided in the house of the petitioner where he found the petitioner running the lottery and guessing centre. When on seeing the police party, the petitioner tried to flee away from the scene, but on chase being made, he was apprehended and



from his possession, three copies of coupon, Rs. 400/- cash and one mobile phone were recovered. On enquiry, the petitioner disclosed his name and the names of his associates with whom the petitioner was running the lottery and guessing centres.

It is submitted by learned counsel for the petitioner that the petitioner has been apprehended merely on the basis of suspicion simply because he was found present at the place of seizure. It is further submitted that though the petitioner is accused in four other cases apart from the present case, but in all these cases he is on bail.

Learned APP for the State submits that the petitioner was caught red handed from the spot.

Considering the nature of accusation and the period under custody, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-I, Patna(Sub-Judge-1), Patna, in connection with Jakkanpur P.S. Case No. 20 of 2019.

(Dinesh Kumar Singh, J)

Ashwini/-

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