

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58568 of 2019

Arising Out of PS. Case No.-107 Year-2019 Thana- BUXAR MUFFASIL District- Buxar

VIJENDRA DUBEY @ BARJENDRA NATH DUBEY Son of Vindhyachal
Dubey, Resident of Village - Nadaon, Ward No. 7, P.S.- Buxar (Muffasil),
Distt - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Roy

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 20-09-2019 Heard both sides.

The petitioner apprehends his arrest in Buxar (Muffasil) P.S. Case No.107 of 2019 registered under Sections 414 and 420 of the Indian Penal Code and under section 11 of the Bengal Gambling Act.

The gist of the allegation is that 10-15 persons were playing gambling and on seeing the police, they fled away. On chase, Vikash Kumar was apprehended on the spot, who disclosed the name of the petitioner. Some mobiles were recovered from the place of occurrence along with playing cards.

Learned counsel for the petitioner submits that the petitioner was not apprehended on the spot. Nothing has been



recovered from possession of the petitioner. The name of the petitioner surfaced in the case only on the disclosure made by apprehended accused. No offence under Section 420 and 414 of the IPC is made out as nobody claimed to be cheated.

Having considered the facts and the nature of allegation made against the petitioner and the fact that nothing has been recovered from possession of the petitioner and nobody claimed to be cheated, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged 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 C.J.M., Buxar in connection with Buxar (Muffasil) P.S. Case No.107 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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