

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66890 of 2019**

Arising Out of PS. Case No.-291 Year-2019 Thana- BETTIAH CITY District- West
Champaran

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SARFARAJ KHAN @ MD. SARFARAJ S/o Md. Faruk Ansari @ Farukh
Ansari R/o village- Kishun Bag, Khalwa Tola, P.S.- Bettiah Town (Kalibag
O.P.), District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh, Adv.
For the Opposite Party/s : Mr.Shailendra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 20-11-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 420/34 of the Indian
Penal Code.

The prosecution case is that on secret information certain
persons are gambling, a raid was laid when accused persons
escaped from the scene, but two motorcycles, play cards etc.
were recovered from there. The nearby people disclosed the
name of the petitioner.

It is submitted by learned counsel for the petitioner that
neither the petitioner was apprehended from alleged place of
seizure nor he was in any way connected with the seized
motorcycles. Moreover, similarly situated co-accused has been



granted bail vide order dated 22.10.2019 by a Co-ordinate Bench of this Court, passed in Criminal Miscellaneous No. 63505 of 2019. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioner is named in the FIR.

Considering the suspicious nature of accusation, no recovery being made from the conscious physical possession of the petitioner, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, West Champaran, Bettiah, in connection with Bettiah Town (Kalibag O.P.) P.S. Case No.291 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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