

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63505 of 2019**

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

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EKBAL SALAM @ NANHEA Son of Md. Salam Mian Resident of Village-
Kishun Bag, Khalwa Tola, Police Station- Bettiah Town (Kalibag O.P.),
District- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Arbind Kumar Singh, Advocate.

For the Opposite Party: Mr. Shailendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 22-10-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 420/34 of the Indian Penal Code and
Section 11 of Gambling Act registered in connection with Bettiah
Town (Kalibag O.P.) P.S. Case No. 291 of 2019.

3. It is submitted that the petitioner has been falsely
implicated in connect with a group of person indulging in
gambling, all of whom fled away upon seeing the police party. The
petitioner's name was disclosed by members of the crowd
assembled there, except which there is no objective material to
connect the petitioner with the alleged occurrence. Statement is
made at the Bar that the articles and motorcycles recovered from
the spot do not belong to the petitioner, who claims clean
antecedents.

4. Be that as it may, in the event of the petitioner's
arrest or surrender before the court below within six weeks from



the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, 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) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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