

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10477 of 2020

Arising Out of PS. Case No.-1049 Year-2019 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Brajesh Singhanian @ Brajesh Chaudhary @ Brajesh Kumar Chaudhary @
Brijesh Kumar Choudhary aged about 36 years, gender – Male, Son of Sushil
Chaudhary , resident of Mohalla - Sikandarpur, Near Prabhat Jarda factory
P.S. - Nagar, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mrs. Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-06-2020 Heard Mr. Arvind Kumar, learned counsel for the

petitioner and Smt. Indu Kumari Srivastava, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

The petitioner apprehends his arrest in connection
with Nagar P.S. Case No. 1049 of 2019, GR No. 2455 of 2019
registered for the offence punishable under Section 420 of the
I.P.C., Section 11 of the Bihar & Bengal Gambling Act and
Section 37(C) of the Bihar Prohibition and Excise Act 2016.

The allegation against the petitioner is that the police
party got secret information that petitioner along with two other
persons have assembled in the abandoned house of one Radha



Mohan Shukla and in order to deceive the innocent persons alluring and indulging them in gambling. It has further been alleged that upon arrival of police party, the petitioner along with other accused persons fled away, however, one person namely, Ravi Kumar Gupta was arrested and found in drunken condition.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case inasmuch as he has not committed any offence in the manner alleged. Learned counsel further submits that petitioner has got no criminal antecedent and the police has implicated the petitioner on the basis of secret information received by them. Learned counsel also submits that similarly situated co-accused Hari Om has been granted bail by this court in Cr. Misc. No. 5634 of 2020.

Having regard to the submissions made by the parties and taking into consideration the fact that similarly situated accused person has been granted bail by this court, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail



bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Spl. Judge Excise, Muzaffarpur in connection with Muzaffarpur Nagar P.S. Case No. 1049 of 2019, GR No. 2455 of 2019, subject to the condition as laid down under Section 438 (2) of the Code Of Criminal Procedure.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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