

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24782 of 2020

Arising Out of PS. Case No.-43 Year-2020 Thana- MALSALAMI District- Patna

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ASHOK RAI S/O Khuddi Ray @ Khudi Rai R/O- Bhaisani Tola, P.S. -
Malsalami, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nityanand Kumar, Advocate

For the Opposite Party/s : Mr. Nirmal Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 23-12-2020 Heard learned counsel for the petitioner and learned
counsel for the State through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Malsalami P.S. Case no. 43 of 2020 registered under sections 290, 420 and 34 of the Indian Penal Code and section 11 of the Gambling Act.

As per allegation in the FIR, on secret information having been received that the petitioner was conducting gambling activity in his under construction house, a raid was conducted and four accused persons were arrested.

It is submitted by learned counsel for the petitioner that from the FIR itself it would be evident that the alleged place of occurrence is stated to be an under construction house. The



petitioner lives elsewhere and is in no manner involved with the gambling activity. He has no criminal antecedent.

The application for bail is opposed by learned counsel for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on anticipatory bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Malsalami P.S. Case no. 43 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, IV, Patna City, Patna subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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