

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.83275 of 2019**

Arising Out of PS. Case No.-401 Year-2019 Thana- GAYA KOTWALI District- Gaya

DEEPAK KUMAR Son of Rajan Sao @ Rajan Sah Resident of Village -  
Bageshwari Gumti, Bam Baba Asthan, P.S.- Delha, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjay Kr. Sinha, Adv.

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      07-01-2020                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

The petitioner in the present case is seeking regular  
bail in connection with Kotwali P.S. Case No. 401 of 2019  
registered under Sections 414, 420 and 34 of the Indian Penal  
Code and Section 20/12 of N.D.P.S. Act and 11/13 of Bihar  
Bengal Gambling Act.

Learned counsel for petitioner submits that petitioner  
has been falsely implicated in this case, gambling was taking  
place in the house of the co-accused Sahil Kumar where the raid  
was conducted, however petitioner is in custody since  
03.09.2019.

Learned A.P.P. for the State has opposed the prayer for  
bail.



Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the gambling was taking place in the house of the co-accused Sahil Kumar where the raid is said to have been conducted by the police and the petitioner was found present there but on search nothing incriminating could be recovered from his possession save and except one mobile phone from his pocket and further that 200 grams of Ganja which has been allegedly recovered by the police has been found from the corridor of the house and not from the possession of this petitioner as also that petitioner is in custody since 03.09.2019, investigation is complete against him, let the above-named petitioner be released on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge, Gaya, in connection with Kotwali P.S. Case No. 401 of 2019, subject to the condition as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of



the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer or tamper with the evidence.

**(Rajeev Ranjan Prasad, J)**

Rajeev/-

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