

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35303 of 2020

Arising Out of PS. Case No.-77 Year-2018 Thana- HAJIPUR District- Vaishali

SHIBU RAI @ SHIBUA Son of Jag Narayan Rai Resident of Mohalla-
Hathsarganj, Police Station- Town Hajipur, District- Vaishali.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Gauri Shankar Gupta

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 15-04-2021 As prayed for, let the learned counsel appearing for the petitioner remove the defect(s), as pointed out by the office vide its notes dated 15.12.2020, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in connection with Hajipur Town P.S. Case no. 77 of 2018, registered under Sections 467, 468, 471, 420 and 120(B)/34 of the Indian Penal Code, Section 3, 4, 11 of the Public Gambling Act, 1867 and Section 3, 4 of Bihar Lottery Act.

The accusation is that on receiving information about arrangement of gambling by Suresh Rai over the government land behind the house of Suresh Rai in Mohalla-



Hathsarganj, the informant along with other Police personnel reached there. On seeing the Police party, some persons present there started fleeing. On chase, two persons were apprehended, who disclosed their names as Mukhtar Alam and Bishnu Mahto. On search, Mukhtar Alam was found in possession of two currency notes denomination of Rs.10/- and Bishnu Mahto was found in possession of seven currency notes denomination of Rs. 10/- and they also admitted about arrangement of gambling. The apprehended persons also disclosed the names of five other persons, including the petitioner, who succeeded to flee away.

Learned counsel for the petitioner submits that petitioner was not apprehended on the spot, rather, his name has been disclosed by Mukhtar Alam, who is said to be apprehended from the place of occurrence. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four 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 learned 1st Judicial



Magistrate, Vaishali at Hajipur in connection with Hajipur Town
P.S. Case No. 77 of 2018, subject to the condition as laid down
under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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