

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49530 of 2022

Arising Out of PS. Case No.-490 Year-2022 Thana- FORBESGANJ District- Araria

Babloo @ Abdul Rajjak S/o Sarfuddin Alam Resident of Ward No.22,
Forbesganj, P.S.- Forbesganj, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Veena Kumari Jaiswal, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 420, 467, 468 and 34 of the Indian Penal Code read with Sections 4 and 5 of the Bihar Ban on Lottery Act.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that on 07.05.2022 at 5:00 pm, he along with other police personnel, on the basis of secret information, reached at Gudri Mohallah and raided a house from where two accused Raja Babu and Md. Saddam were apprehended with lottery tickets, it is next alleged that the apprehended accused disclosed the name of petitioner and three others and from their



possession various lottery tickets as detailed in the FIR were recovered.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is next submitted that petitioner was not apprehended from the spot and his name transpired based on the confessional statement of apprehended accused in police custody which does not have any evidentiary value, it is also submitted that the alleged house from where the accused persons were apprehended does not belong to the petitioner and further the petitioner will not evade the law rather will cooperate in the investigation and will present himself as and when required by the Investigating Officer of the case in order to arrive at the truth.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like



amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Forbesganj P.S. Case No. 490 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving an assurance to this Court is not cooperating in the investigation or is not appearing when called, the learned trial court after giving an opportunity of hearing to the petitioner shall pass orders in accordance with law and shall also have the liberty to cancel the bail bonds of the petitioner.

The learned trial court is directed to send a copy of this order to the concerned Police Station.

(Satyavrat Verma, J)

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