

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71529 of 2023

Arising Out of PS. Case No.-211 Year-2020 Thana- GAYA KOTWALI District- Gaya

1. Md. Changej @ Changej Khan S/O Md. Sarfraj R/O Village- Panchaiyati Akhara, Eqbal Nagar, Near Pani Tanki, P.S- Kotwali, Distt.- Gaya.
2. Md. Arman S/O Rumi Marhum R/O Village- Panchaiyati Akhara, Eqbal Nagar, Near Pani Tanki, P.S- Kotwali, Distt.- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Alamdar Hussain, Advocate
Mr. Shashi Bhusan Kumar, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 21-12-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in a case in connection with Kotwali P.S. Case No. 211 of 2020 dated 06.06.2020 registered for the offences punishable u/ss 147, 148, 149, 337, 338, 224, 225, 307, 353, 420 and 120B of the Indian Penal Code and section 11 of the Bihar Gambling Act and section 7 of Lotteries (Regulation) Act.

4. As per the prosecution case, the police party raided



near Pani Tanki, Panchayati Akhara and found 150-200 persons there who were playing one number lottery. It is further alleged that the police party arrested one Md. Bablu and recovered some receipt, some numbers, one mobile and other articles. Thereafter, about 150-200 people came and started pelting stones on the police party due to that Md. Bablu succeeded to flee away from the custody of police.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. There is general and omnibus allegation against the petitioners. Similarly situated co-accused has already been granted bail by the co-ordinate bench of this court vide order dated 20.12.2021 passed in Cr. Misc. No. 20142 of 2021. The petitioner no. 1 has two other criminal cases and the petitioner no. 2 is also accused in one more criminal case as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

7. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees



Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Gaya in connection with Kotwali P.S. Case No. 211 of 2020, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

U		T	
---	--	---	--

