

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79287 of 2023

Arising Out of PS. Case No.-493 Year-2023 Thana- MADHAURAH District- Saran

Rajnath Singh, Son of Late Banshi Singh, Resident of Village- Takina Purab
Tola, P.S.- Marhaura Dist- Saran at Chapra

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Vijay Kumar, Advocate
For the State	:	Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in this case is seeking pre-arrest bail in connection with Marhowrah P.S. Case No. 493 of 2023 registered for the offences punishable under Section 420 of the Indian Penal Code and Section 11 of Bangal Gambay Act. He has one criminal antecedent.

3. As per the prosecution story, on 12.08.2023 at about 10:00 A.M., the informant along with other police personnel went near Karnpura Mor and upon secret information about gambling, he reached near Pakaha High School. On seeing the police party, the accused persons tried to escape but three persons were caught on the spot and they disclosed the name of other accused persons also. The seizure list was also prepared in presence of two independent witnesses.



4. Learned counsel for the petitioner submits that the name of the petitioner has transpired in the statement of the co-accused but nothing has been recovered from the possession of this petitioner.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the fact that the name of the petitioner has transpired in the statement of the co-accused but no other incriminating material has been recovered from the possession of the petitioner, the petitioner is said to have one criminal antecedent in which he is on bail as informed to this Court, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above-named shall be released on bail in connection with Marhowrah P.S. Case No. 493 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Saran at Chapra, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that before accepting the bail bond, the learned court below shall verify that the petitioner is on bail in the earlier case i.e. Marhourah P.S. Case No. 144 of



2016.

8. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

9. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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