

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80505 of 2024

Arising Out of PS. Case No.-160 Year-2024 Thana- ALAMGANJ District- Patna

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Mithun Kumar @ Mithun Tanti S/o Gariban Tanti Resident of Mohalla -
Maharani Asthan, Chailital, P.S.- Alamganj, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan

For the Opposite Party/s : Mr. Umeshanand Pandit

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 10-12-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Alamganj Police Station Case No. 160 of 2024, dated 27.02.2024, disclosing offences punishable under Sections 419/420 of the Indian Penal Code and Section 3/4 of the Lottery Act.
3. The prosecution case, as per the First Information Report, is that the police, on secret information that the petitioner, along with co-accused Munchun Kumar was conducting guessing/lottery illegally in the lane near Chailitand School, reached at the place of occurrence and saw one persons sitting on a scooty and writing something in the notebook and some persons were engaged in



guessing/lottery and on seeing the police, all the persons started fleeing away, however, the police, on chase, apprehended one persons, who disclosed his name as Kapil Prasad and also disclosed the name of the main organisor of the guessing/lottery as the petitioner and one Munchun Kumar. The police also seized the scooty from the place of occurrence.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case with ulterior motive. He further submits that the name of the petitioner transpired in this case on the basis of the confessional statement of co-accused Kapil Prasad, from whose possession objectionable items were recovered. He further submits that the petitioner has no concern with the scooty and he was not present at the place of occurrence.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the name of the petitioner has been disclosed by the arrested co-accused person as the main person who organized the guessing/lottery centre and objectionable items were recovered from the place of occurrence, I am



not inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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