

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83272 of 2023**

Arising Out of PS. Case No.-521 Year-2023 Thana- FORBESGANJ District- Araria

SANJAY KUMAR SAH @ SANJAY SAH Son of Late Durga Prasad Sah @
Durga Nand Sah Resident of R. N. Dutta Road No.- 16, P.S.- Forbisganj,
District - Araria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Pradeep Narain Kumar

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 09-01-2024 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 420, 467, 468/34 of the Indian Penal Code and 4/5 Bihar Ben Lottery Act, 1993.

3. The allegation against the petitioner is that he is running illegal business of lottery tickets in his house.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. He further submits that six persons were apprehended



by the police and none of them has disclosed the name of the petitioner. He further submits that the mother of the petitioner has give his house on rent to another person and he has no concern with the lottery played in his house. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) 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.521 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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