



1

MCRC-25654-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE AMIT SETH

ON THE 20th OF JUNE, 2025MISC. CRIMINAL CASE No. 25654 of 2025*SATENDRA YADAV**Versus**THE STATE OF MADHYA PRADESH*

.....
Appearance:

Shri S.S.Rajput - Advocate for the applicant.

Shri Saket Udainiya - Public Prosecutor for respondent/State.

.....

ORDER

This is the first application under Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023, for grant of anticipatory bail filed by the applicant who apprehends his arrest in connection with Crime No.549/2025 registered at Police Station Cantt, District Guna (M.P.) for the alleged commission of offence under Sections 112 of BNS and Section 4(a) of Public Gambling Act, 1976.

2. As per the prosecution story, on the information being received, the police party of Police Station Cantt, Guna, reached the ground in front of Rajput Dental Hospital where they found one boy, namely, Dashrath, was doing something in his mobile. Upon inquiry, the mobile was recovered which revealed that he was indulged in online gambling/satta of the IPL cricket match. The record of the victories/defeats was maintained and coins of Rs.5,00,000/- was also recorded in his mobile. On interrogation, he



accepted that he along with other co-accused is operating a gang for online gambling/satta. Accordingly, the offence in question was registered.

3. Counsel appearing for the applicant submits that the applicant is innocent and has been implicated in the matter only on the basis of statement of Dashrath and there is no direct evidence available with him to connect him with the offence. Applicant is a permanent resident of District Guna (M.P.) and is ready to abide by all the terms and conditions that may be imposed by this court while considering his application for anticipatory bail. On these grounds, learned counsel prays for grant of anticipatory bail to the applicant.

4. On the other hand, counsel appearing for the State opposed the bail application, submitting that since the gang is operating in an organized manner for running online gambling/satta and he is also having criminal antecedents. Therefore, he is not entitled for grant of benefit of anticipatory bail.

5. Faced with the said objections, counsel for applicant submits that in the criminal cases, the applicant has already been acquitted. However, learned counsel seeks permission to withdraw the instant anticipatory bail application with a further observation that since the sentence for the offence in question is upto 7 years, the Investigating Authority may be directed to comply with the provisions of Section 41-A of Cr.P.C. as laid down in the case of **Arnesh Kumar Vs. State of Bihar and Another**, reported in (2014) 8 SCC 273 by the Hon'ble Supreme Court and as and when, he is summoned by the Investigating Agency, he will appear before the Investigating Officer and cooperate with the investigation.



6. In view of the above, the instant anticipatory bail application filed by the applicant seeking grant of anticipatory bail application stands **rejected**. However, it is directed that the Investigating Authority will follow the dictum of the law laid down by the Hon'ble Supreme Court in the case of **Arnesh Kumar (supra)**.

(AMIT SETH)
JUDGE

Adnan