

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15552 of 2017

Arising Out of PS.Case No. -74 Year- 2017 Thana -PURNEA SADAR District- PURNIA

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1. Rakesh Ranjan @ Sunny Kumar,

2. Mukesh Ranjan, both sons of Pramod Kumar Sinha, R/o Village-
Rambagh, Professor Colony, P.S.- Sadar, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Sakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA

ORAL ORDER

3 27-04-2017 Heard the parties.

This is an application for bail in connection with Sadar P.S. Case No. 74 of 2017 registered for the offences punishable under Sections 414, 420 and 294A of the Indian Penal Code and the provisions of the Lotteries Regulation Act, 1998 and the Lotteries Regulation Rules, 2010.

Allegation against the petitioners is recovery of lottery tickets though it is banned.

It has been submitted on behalf of the petitioners that they have been falsely implicated in this case. It has been further submitted that the petitioners have remained in custody for more than two months and maximum sentence prescribed for such type of cases is two years.

Heard learned APP also, who has opposed the prayer for bail by submitting that petitioners have criminal antecedent also.



Having heard both sides and in view of the fact that petitioners have now remained in custody since 12.2.2017, let the petitioners, named above, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Purnea in connection with Sadar P.S. Case No. 74 of 2017 subject to the conditions that:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable properties within the jurisdiction of the concerned court;
- (ii) The petitioners will not include any witness or tamper with the evidence;
- (iii) The petitioners shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of their bail; and
- (iv) If petitioners are made accused in similar type of cases in future, the prosecution shall be at liberty to cancel their bail bonds.

This application is allowed accordingly.

S.Sb/-

(Vinod Kumar Sinha, J)

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