

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35336 of 2017

Arising Out of PS.Case No. -245 Year- 2017 Thana -PURNEA SADAR District- PURNIA

- =====
1. Suresh Choudhary, Son of Late Etwari Choudhary,
 2. Nitish Kumar, Son of Sri Suresh Chudhary, Both resident of Village-Khuskibagh, P.S.- Sadar, District- Purnea.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Amit Kumar Anand, Advocate

For the Opposite Party : Mr. Sri Binod Kumar 3 (APP)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 11-08-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners apprehend their arrest in connection with Sadar P.S. Case No. 245 of 2017, registered for the offences punishable under Sections 294(A) and 420 of the Indian Penal Code and Section 7(3) of the Lottery Regulation Act.

Allegedly, Dipak Kumar, Ram Mangal Duitta, Rakesh Kumar, Raj Kumar, Vijay Kumar Sah and Sunil Chandra Das were apprehended by the police personnel when they were selling illegally lottery tickets and on disclosure from the petitioners lottery tickets were seized, as per seizure list.

Submission is of false implication and that besides confessional statement of co-accused there is no other legal and



tangible material against the petitioners, the name of the petitioners have been implicated due to enmity, nothing has been recovered from possession of the petitioners or from their houses and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering that besides the confessional statement of co-accused there is no other material against the petitioners and, as such, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea, in connection with Sadar P.S. Case No. 245 of 2017, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

Rajiv/-

U		T	
---	--	---	--

