

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44496 of 2017

Arising Out of PS.Case No. -104 Year- 2017 Thana -KHAJEKALLAN District- PATNA

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Sunil Sahani, aged about 47 years, S/o late Vishwanath Pd. Resident of Pato Ki Bagh, P.S.- Khajekallan, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tilak Sao, Advocate.

For the Opposite Party/s : Smt Indu Kumari Srivastava, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 03-10-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Khajekallan P.S. Case No. 104 of 2017 instituted for the offence under Section 420 of the Indian Penal Code, Sections 5, 6 and 7 of Lottery Regulation Act.

It is alleged in the written report that on confidential information, the Police reached the place of occurrence and arrested four persons as named in the written report and found several *Parchis* of the game of guessing which they were playing. One of the co-accused who was apprehended by the police, disclosed the name of the petitioner and other accused persons as mentioned in the written report.

In this manner, there is no recovery from possession



of this petitioner and his name has been disclosed by co-accused in his confessional statement before the police.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Khajekalan P.S. Case No. 104 of 2017, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Patna City, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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