

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41395 of 2019

Arising Out of PS. Case No.-202 Year-2016 Thana- BAUSI District- Purnia

BIKASH CHOUDHARY @ SONU CHOUDHARY Son of Trilok Choudhary
Resident of Subhash Pally South Dalkola, P.S.- Dalkola, District- Uttar
Dinazpur (West Bengal)

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh
For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 27-09-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Baisi P.S. Case N0. 202 of 2016, disclosing offences under Sections 294A/420 of the Indian Penal Code and Sections 4/5 of the Bihar Lottery Act, 1993 and Section 7(3) of the Lottery Regulation Act, 1998.

As per the First Information Report, a Scorpio vehicle was intercepted by the police from which huge quantity of lottery tickets were recovered. One of the occupants of the car is said to have disclosed that the lottery tickets were taken from the petitioner's shop located near Dalkola Railway Station in West Bengal.

Learned counsel appearing on behalf of the petitioner has submitted that over and above the said disclosure made by co-accused Riyjool Haque, there is no



allegation against the petitioner. He has also submitted that the petitioner has valid licence issued by the West Bengal Government to run lottery business.

Considering the submissions so advanced on behalf of the petitioner, this application is allowed.

Let the petitioner above named in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-II, Purnea in Baisi P.S. Case No. 202 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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