

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.41816 of 2019

Arising Out of PS. Case No.-211 Year-2019 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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1. PRAKASH KUMAR DOKANIA @ PRAKASH DOKANIA Son of Shri Shiv Kumar Dokania Resident of Chunihari Tola, Bhagalpur, P.S.- Kotwali, District- Bhagalpur.
 2. Dipak Kumar Dokania @ Dipak Dokania Son of Shri Shiv Kumar Dokania Resident of Chunihari Tola, Bhagalpur, P.S.- Kotwali, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.N.K. Agrawal, Sr.Adv.
Mr. Gautam Kejriwal
Mr. Atal Bihari Pandey
Mr. Alok Kumar Jha
For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA

ORAL ORDER

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

Petitioners are apprehending their arrest in connection with Kotwali (Jogsar) P.S.Case No.211 of 2019 G.R.No.1089 of 2019 , registered for offences punishable under Sections 188 and 420 of the Indian Penal Code and Section 7(iii) of the Lottery Regulation Act, 1998..

As per the FIR, the petitioners were engaged actively in illegal selling of the lottery tickets and the police raided the house of the petitioner no.1 and recovered lottery tickets. It further appears that the petitioner no.1 is accused in one similar case and petitioner no.2 is also accused in three similar type of cases.

Submission of the learned counsel for the petitioners is that in all the earlier cases, they have been made accused on the basis of the confession and they have been granted



privilege of anticipatory bail. In this case also the petitioner is ready to abide by any condition imposed upon him.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the learned court below, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Bhagalpur in connection with Kotwali (Jogsar) P.S.Case No.211 of 2019 G.R.No.1089 of 2019, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition that if the petitioners are again found engaged in such type of illegal act, the prosecution is at liberty to move for cancellation of their bail bond.

With the above direction, this application is allowed.

Let a copy of this order be sent to the Sr. S.P.,
Bhagalpur .

(Vinod Kumar Sinha, J)

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