

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52969 of 2019

Arising Out of PS. Case No.-139 Year-2019 Thana- BIKRAMGANJ District- Rohtas

1. Guddu Khan, aged about 28 years, (Male), Son of Sahabu Khan, Resident of Mohalla - Guljarbag, Ward No. 24, P.S.- Bikarmganj, Distt - Rohtas.
2. Sakil Khan, aged about 32 years, (Male), Son of Gorakh Khan, Resident of Village-Shahid Baba Halt, Ward No. 24, Bikaramganj, P.S.- Bikramganj, District - Rohtas.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Rajani Kant Singh, Advocate
For the Opposite Party	:	Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 26-08-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Section 420/34 of the Indian Penal Code and Section 11 of the Bengal Gambling Act registered in connection with Bikramganj P.S. Case No. 139 of 2019.

3. It is submitted that the petitioners have been falsely implicated on mere suspicion and their names have surfaced on the basis of confessional statements of accused persons, namely, Nalish Ram and Asgar Ali alias Bhuar Mukeri, except which there is no objective material to connect the petitioners with the alleged offence. No recovery of any incriminating articles has been made from conscious possession of the petitioners, who claim clean antecedents.

4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten



thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 1st, Bikramganj, District Rohtas in connection with Bikramganj P.S. Case No. 139 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors of each of the petitioners shall be their close relatives.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

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