

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.58555 of 2023**

Arising Out of PS. Case No.-211 Year-2020 Thana- GAYA KOTWALI District- Gaya

1. Md. Raju Son Of Md. Minhajuddin @ Minhaj @ Seth Ji Village- Ekbal Nagar Pani Tankhi Ps-Kotwali Dist- Gaya
2. Md. Guddu son of Md. Minhajuddin @ Minhaj @ Seth Ji Village- Ekbal Nagar Pani Tankhi Ps-Kotwali Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Suman Kumari Singh, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      20-09-2023                      Heard learned Counsel for the petitioners and  
learned APP for the State.

2. The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 337, 338, 224, 225, 307, 353, 420 & 120B of the Indian Penal Code read with Section 11 of Bihar Bengal Gambling Act & Section 7 of Lotteries (Regulation) Act, 1998.

3. As per the prosecution, the allegation against the present petitioners is that they are engaged in running illegal single digit lottery and gambling.

4. Counsel for the petitioners submits that petitioners have been falsely implicated in the present case and they were

not apprehended on the spot.

5. Counsel further submits that antecedent of the petitioners are clean and there is general and omnibus allegation made against the petitioners. He submits that nothing incriminating has been recovered from the conscious possession of the petitioners.

6. Counsel further submits that under Section 7 of the Lotteries (Regulation) Act, 1998, the punishment is 2 years or with fine or with both and the offence is cognizable and non-bailable in nature. Counsel submits that the other provisions are not applicable in the present case at all. He further submits that the co-accused has been granted bail by the Co-ordinate Bench of this Court vide order dated 20.12.2021 passed in Cr. Misc. No. 20142 of 2021.

7. Learned APP for the State opposes the prayer for bail.

8. In the present facts and circumstances, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand Only) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial

Magistrate, Gaya in connection with Kotwali P. S. Case No.211  
of 2020, subject to the conditions as laid down under Section  
438(2) of the Cr.P.C.

**(Dr. Anshuman, J.)**

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