

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80792 of 2023

Arising Out of PS. Case No.-561 Year-2023 Thana- JAMUI District- Jamui

SANTOSH RAM @ SANTOSH KUMAR RAM son of Rajendra Ram
Village- Kalyanpur Ps- jamui Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Amitesh Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Jamui P.S. Case No. 561 of 2023 registered for the offences punishable under Sections 419, 420, 120(B) of the Indian Penal Code, Section 11 of the Bihar Bengal Lottery/Gambling Act and 7 of the Lottery Regulation Act.

3. The prosecution case, in brief, is that on the basis of the secret information, when the informant along with other police officials arrived at General Store of co-accused Ajit Kumar Sah, they found there that Ajit Kumar was selling lottery tickets. Seeing the police, co-accused Ajit Kumar tried to flee away, but was apprehended and on search, 78 lottery tickets have been recovered from his possession. On enquiry, he disclosed that he



used to purchase tickets from the petitioner and other co-accused, namely, Chandu Keshari, who are whole sellers of lottery tickets .

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. The real fact is that petitioner is working as Forth Grade employee in Women College, Jamui and he has no concern with the alleged occurrence. He was not arrested from the place of occurrence. There is nothing on record to indicate the complicity of the petitioner barring the confessional statement of the apprehended person which has no evidentiary value in the eye of law. Petitioner has three criminal antecedents of similar nature as of the present case, as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Considering the facts and circumstances of the case, as petitioner has three criminal antecedents of similar nature, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.



7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail, the learned Court below shall pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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