

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59461 of 2021

Arising Out of PS. Case No.-178 Year-2021 Thana- DAUDNAGAR District- Aurangabad

Samsuddin Son of Jaki Ahmad Resident of Village - Patwa Toli Ward No.- 17,
Daudnagar, P.S.- Daudnagar, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailesh Kumar Singh

For the Opposite Party/s : Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-07-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in Daudnagar P.S.
Case No. 178 of 2021, registered for the offences punishable
under Sections 420, 419, 467, 468/34 of the Indian Penal Code
and section 4/5(a)(b) of the Bihar Ban on Lottery Act and
section 11 of the Bihar Bengal Gambling Act.

Prosecution case in brief is that on 05.04.2021 at
about 8.45 am informant received a secret information that near
Machli Bazar, two persons were selling illegal printed lottery
tickets upon which a raid was conducted. On noticing the police
party two persons tried to flee, but on chase one person was
apprehended by the police who disclosed his name as Md.
Meharban and from his possession illegal tickets and other
articles were recovered. Md. Meharban disclosed the name of



two persons namely Md. Salahuddin @ Salahu @ who used to provide him lottery tickets and Md. Noor Ahmad who gives him 10% commission per ticket.

It is submitted that petitioner is neither named in the FIR nor has been named by the co-accused and he has been made accused in this case only on the basis of seized Honda Scooty which was parked in the market and belongs to this petitioner. Petitioner was not found selling lottery tickets or gambling. No incriminating article has been recovered from his possession. Petitioner has got clean antecedent.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged 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 Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Daudnagar P.S. Case No. 178 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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