

Sl No	Date of order of proceeding.	Order with signature of the court. <u>In the Court of Addl. Sessions Judge-II, Pakur</u>	Office notice taken with date
1	2	3	4
	03.12.2022	Anticipatory Bail Petition No. 440 of 2022 <u>CNR no. JHPK01-001819-2022</u> Md. Eklakh @ Eklakh Ansari. Vrs. State of Jharkhand An anticipatory bail petition has been filed on behalf of accused/petitioners namely 1. Md. Eklakh @ Eklakh Ansari aged about 38 years S/o Md. Rafik and 2. Md. Rizwan Ansari @ Rocky Ansari aged about 31 years S/o Md. Mazhar Ansari both are resident of village – Harindanga Bazar, Pakur, P.O. Pakur, P.S. Pakur (Town), District – Pakur arising out of Pakur (Town) P.S case No. 250/2022 registered U/s 7, 3 of Lotteries (Regulation) Act which is taken up for passing order today. The aforesaid accused/petitioners are apprehending their arrest in connection with Pakur (Town) P.S. Case No. 250/2022 registered U/s 7, 3 of Lotteries (Regulation) Act. A copy of this said petition has also been served upon learned Addl. P.P appearing for the State. Learned defence counsel submitted that the story propounded from the side of prosecution regarding the involvement of the accused/petitioners in the commission of offence is absolutely false, baseless and concocted one. He has further submitted that this case is registered on the basis of written complaint of informant S.I Abhishek Kumar with an allegation that during the course of patrolling on 17.10.2022 at about 05:00 P.M he received a secret information that some persons were selling lottery tickets illegally at Indira Chawk near a tea shop and accordingly on the basis of such information with he help of police forces, intercepted one co-accused who disclosed his name as Giasuddin Alam and during the course of search, 17 pieces of	

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and by preparing production cum seizure list on 17.10.2022 which shows that in presence of two witnesses different companies of lottery tickets was recovered from a tea shop of Indira Chawk though as per version of prosecution that co-accused Giyasuddin Alam disclosed the name of his associate co-accused (accused/petitioners) but there is no confessional statement recorded in para 26 of the case-diary and it is also evident that nothing was recovered from the exclusive possession of the accused/petitioner rather involvement of the accused/petitioners is to be looked into at the time of trial. Hence the accused petitioners namely **1. Md. Eklakh @ Eklakh Ansari and 2. Md. Rizwan Ansari @ Rocky Ansari** are hereby enlarged on anticipatory bail and accordingly directed to surrender before the court below within 15 days from the date of passing of this order positively or in the event of his surrender or arrest, the accused/petitioners shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- with sureties of the like amount each to the satisfaction of the learned court below subject to the condition as laid down under section 438(2) of Cr.P.C .

(Dictated)

Sd/-

(Chaudhary Ahsan Moiz)

Addl. Sessions Judge-II, Pakur

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