

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36205 of 2016

Arising Out of PS.Case No. -64 Year- 2014 Thana -MAHESI District- EASTCHAMPARAN
(MOTIHARI)

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1. Manir Raj @ Mani Raj son of Sheikh Hafiz,
2. Sheikh Nurud @ Sk Nuruda son of Sheikh Tahir
Both residents of Village- Jhumka, P.S.- Sikta, District- West Champaran.
..... Petitioners

Versus

The State of Bihar

..... Opposite Party

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Appearance :

For the Petitioners : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 08-09-2016 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 11(1)(a), (b), (c), (d), (e), (f), (g), (h) of the Prevention of Cruelty to Animals Act, 1960 and Sections 47, 48, 49, 50 and 96 of the Animal Transportation Rules 1978 registered in connection with Mehsi P.S. Case No. 64 of 2014.

3. It is submitted that the petitioners have been falsely implicated and except the confessional statement of the apprehended accused persons, there is no material to connect the petitioners with the alleged offence. Petitioners claim clean antecedents.

4. Having regard to the entirety of the facts and circumstances of the case, 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-IV, East

Champan at Motihari in connection with Mehshi P.S. Case No. 64 of 2014, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following conditions:-

(i) That one of the bailors of each of the petitioners shall be their close relative other than the petitioners herein.

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

(iii) The petitioners shall cooperate with the investigation 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.

(iv) 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.

(Vikash Jain, J)

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