

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25037 of 2017

Arising Out of PS.Case No. -141 Year- 2017 Thana -KISHANGANJ District- KISANGANJ

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1. Irfan Ali, Son of Gul Hassan, resident of village- Kajipura, P.O.- Gakkharpur, P.S.- Dilari, District- Muradabad (U.P.).
 2. Sahid @ Sahid Alam, Son of Late Md. Idrish, resident of Village- Bairiya, P.S.- Baisi, District- Purnea (Bihar).
 3. Tah Alam @ Thah Alam, Son of Md. Md. Abdul Khalid.
 4. Md. Sarafat, Son of Majibur Rahman.
 5. Md. Mannan, son of Md. Muzaffar. All petitioner Nos. 3, 4 and 5 are residents of Village- Bakriya, P.O.- Chandrapur, P.S.- Baisi, District- Purnea (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 03-07-2017 Heard learned counsel for the petitioners and
learned APP for the State.

Petitioners are languishing in custody since 25.03.2017 in connection with Kishanganj P.S. Case No. 141/17 for offences punishable under Sections 420, 414/34 of the Indian Penal Code, 11(d)(e)(f)(k) of the Prevention of Animals Cruelty Act, 1960 and 4/A of the Bihar Prevention and Improvement of Animal Act, 1955.

On the basis of inspection made by the Commandant, Border Security Force, 12th Battalion of SSB at



Kishanganj a truck was detained and from the truck 65 cows were found to be loaded, which is alleged to have been taken for export to Bangladesh for the purposes of slaughtering. No document was produced by the petitioners, amongst which petitioner no. 3 is alleged to be the purchaser.

It has been submitted by the learned counsel for the petitioners that they are innocent, the matter was enquired by the police personnel and a report was submitted to the Chief Judicial Magistrate, Kishanganj that these cows were bought by a valid challan and has been confirmed by the receipts produced by the seller/ purchaser. He submits that the petitioners have no criminal history and it was on the basis of suspicion that the petitioners have been falsely implicated as they were bona fide cattle businessmen. It is further submitted that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioners, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of



learned Chief Judicial Magistrate, Kishanganj, in connection with
Kishanganj P.S. Case No. 141/17.

(Nilu Agrawal, J)

Rajesh/-

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