

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26926 of 2017

Arising Out of PS.Case No. -119 Year- 2016 Thana -PHULWARIA District- BEGUSARAI

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1. Md. Zakir, son of Md. Nagina,
2. Md. Rizwan @ Rajo, son of Md. Sameed, Both residents of Village-
Shokhara-02, Ward No.1, P.S.- Phulwaria, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

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

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 05-07-2017 Heard learned counsel for the petitioners and

learned APP for the State.

Petitioners seek bail in connection with

Phulwaria P.S. Case No. 119/16 for offences punishable under

Section 414 of the Indian Penal Code, Section 4 of the Bihar

Preservation of Improvement of Animal Act, 1955 and Sections

47, 48, 50, 52, 54, 56(c) of Transportation of Animal Cattle Rule.

The prosecution case, as lodged by the informant,

is that while he was near the temple he saw one Magic Pick-up

Maxi Sumo with five calves in the vehicle. On demand of

documents petitioner no. 2 along with another accused Bablu

entered the Masjid. Accordingly, a seizure-list was prepared.

It has been submitted by the learned counsel for



the petitioners that they are innocent, petitioner no. 1 is not named in the First Information Report and both the petitioners are bona fide purchasers of the said calves as both are in business of sale and purchase of cows and calves. He submits that the petitioners bear no criminal antecedent and 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 period of custody, 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 Sri Raghubir Prasad, learned Judicial Magistrate, 1st Class, Begusarai, in connection with Phulwaria P.S. Case No. 119/16.

(Nilu Agrawal, J)

Rajesh/-

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