

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39544 of 2017

Arising Out of PS.Case No. -148 Year- 2017 Thana -RAJPUR District- BUXAR

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Shamsher Kuraishi, S/o Ahmad Quraishi, R/o Village- Khurmabad, P.S.-
Chenari, District-Rohtas

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Singh

For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 21-08-2017 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Rajpur P.S. Case No. 148 of 2017 instituted for the offences
punishable under Sections 379/411 of the Indian Penal Code and
Section 11(a) (d) (c) of the Prevention of Cruelty to Animal Act,
1960.

It has been submitted that the petitioner is the owner
of pick up van bearing Registration No. UP67T 8529, which was
given in the custody of the driver for transporting the articles.
The said vehicle was apprehended by the police on the allegation
that some Buffalos were being transported. The allegation of
theft is omnibus and that too against unknown persons. There is
no criminal antecedent against the petitioner and the court below



while rejecting the prayer of the petitioner has observed that there is no chance of apprehension of the petitioner. The apprehension of the petitioner is that he may be apprehended by the police on account of being owner of the pick up van, which is presently at the police station. It has further been submitted that if the petitioner is allowed anticipatory bail, he will cooperate with the investigation.

The learned A.P.P. for the State opposed the submission.

Considering the nature of the allegation, facts and circumstances of the case, the anticipatory bail prayer is allowed. The petitioner, above named, in the event of arrest / surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar, in connection with Rajpur P.S. Case No. 148 of 2017, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sanjay Kumar, J)

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