

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58182 of 2018

Arising Out of PS.Case No. -162 Year- 2018 Thana -BAUSI District- PURNIA

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1. Mahboob Alam Son of Manjar Alam
2. Mahbool Alam Son of Manjar Alam
3. Maruf Alam Son of Manjar Alam
All are resident of Village - Dihra (Dahrab Litta), P.S. - Balrampur, District
- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad

For the Opposite Party/s : Mr. Sri Rajeev Nayan

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 06-10-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek regular bail in connection with Baisi P.S. Case No.162 of 2018 registered for the offences punishable under Sections 414,120B/34 of the Indian Penal Code and Section 11 of the Prevention of Cruelty to Animal Act, 1960 and Sections 96, 97, 98 and 47 of Animal Transportation Act, 2001.

The allegation against the petitioners is that they were carrying some animals in a pick up van illegally, whose conditions were very bad.

It has been submitted that the petitioners have been falsely implicated in this case with an ulterior motive. They are



farmers. The petitioners are in custody since 02.07.2018 having clean antecedents and so they deserve bail.

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

Considering the facts and circumstances of the case, the prayer of bail is allowed. The petitioners, named above, are directed to 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 the learned Chief Judicial Magistrate, Purnea in connection with Baisi P.S. Case No.162 of 2018, subject to the following conditions:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) If the petitioners are found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iii) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail.

Harish/-

(Sanjay Kumar, J)

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