

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.66675 of 2018

Arising Out of PS. Case No.-402 Year-2018 Thana- NAUTAN

District- West Champaran

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1. Sk. Aabid Son of Late Sk. Shadique
2. Ibran Son of Jahangir.
3. Abram @ Ibran Son of Sk. Aabid All are Resident of Village-Kujalahi, Police Station-Nautan, District-west Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Sri Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 17-12-2018 The petitioners seek bail in anticipation of their arrest in connection with Nautan P.S. Case No. 402 of 2018 dated 28.07.2018 instituted for the offences under Sections 341, 323, 307, 353, 414, 147, 149 of the Indian Penal Code and Section 11(L) of the Prevention of Cruelty to Animals Act, 1960.

The petitioners are alleged to have entered into scuffle with the Police Party when they were making efforts to stop smuggling of cattle.



The learned counsel for the petitioners has submitted that neither are the petitioners associated with Sk. Lal Babu who is said to have made attempt to smuggle away the cattle nor have they any connection with the aforesaid pick-up-van which was used for committing the aforesaid offence. The source of information to the Police for the petitioners to be named in the F.I.R is also unknown.

It appears that without there being any basis, the petitioners have been made accused in this case. The high handedness of the local Police, it has been argued, would be evident from the fact that for the same cause of action, two F.I.Rs have been registered the other being Nautan P.S. Case No. 403 of 2018.

Regard being had to the vague nature of allegation against the petitioners and they being persons of clean antecedents, except for one case about which reference has been made earlier, the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, are directed to be released on bail on their furnishing bail bonds of Rs.



10,000/-(ten thousands) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Nautan P.S. Case No. 402 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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