

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57721 of 2017

Arising Out of PS. Case No.-66 Year-2016 Thana- SISWAN District- Siwan

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Raish Khan @ Raiesh Khan S/o Late Kamrul Khan @ Kamrul Haque Khan,
R/o Village- Geyaspur, P.S.- Siswan, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Sri Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

6 27-04-2018 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner, already in custody, seeks bail in connection
with Siswan PS Case No.66 of 2016, registered under Sections
414 and 429 of the Indian Penal Code as well as under Section
11(i) (gha) of Animal Cruelty Act.

Allegation in brief is that five trucks laden with
alleged stolen cattle were seized by the police and two persons
were apprehended who also disclosed the name of the petitioner
being involved in the racket of smuggling of cattle.

Learned counsel for the petitioner submits that
petitioner was not apprehended with the cattle, the only material
against the petitioner is the confessional statements of two
apprehended accused who disclosed the name of the petitioner



but subsequent to their confessional statement, no incriminating evidence has been found against the petitioner though he has large number of criminal antecedents but not of the same nature as in the present case and the petitioner is in custody for more than a year.

Having considered the aforesaid facts and circumstances, petitioner Raish Khan @ Raiesh Khan is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Siwan in connection with Siswan PS Case No.66 of 2016 with the following conditions:

(1) One of the bailors must be the close family member of the petitioner.

(2) The petitioner shall remain physically present on each and every date before the trial court as and when required and if he absents himself on two consecutive dates without any reasonable cause, his bail bond shall liable to be cancelled.

(Arun Kumar, J)

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