IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34651 of 2018

Arising Out of PS.Case No. -14 Year- 2018 Thana -MEERGANJ District- PURNIA

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1. Md. Gulam Murtuza @ Md. Golam Martuza, S/o Md. Tasu Sk. Resident of Village- Khaschandpur, P.S.- Kaliachak, District- Malda (West Bengal).
2. Hassan Alam @ Md. Hasan Alam, S/o Ashu Sk. Resident of Village Khaschandpur, P.S.- Kaliachak, District- Malda (W.B.).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Yogesh Chandra Verma
For the Opposite Party/s : Mr. Sri Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 05-07-2018 Heard both sides.

The petitioners apprehend their arrest in Mirganj P.S. Case No.14/2018, registered under Sections 414, 428, 429 and 34 of the Indian Penal Code and Animal Transportation Rule 2009, 96, 97, 98, 47 and 56.

The informant, S.H.O. of Mirganj P.S. got information about illegal transportation of animals and accordingly intercepted two trucks bearing registration no. WB65C-4175 and WB65C-3075. From truck no. WB65C-4175, 29 Oxen were recovered out of which five were found dead. From truck no. WB65C-3075, 25 oxen were recovered out of which one was found dead.

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Learned counsel for the petitioners submits that the petitioners are owners of the truck and the driver was plying the truck on hire. The owners of the animal purchased the animal from animal fare. No offence under section 414 I.P.C. is made out against the petitioners. No body has complaint about the theft of any animal. Moreover, petitioners are owners of the truck and there is no material to show their involvement in the present case.

Having regard to the facts, the petitioners above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Purnea, in connection with Mirganj P.S. Case No.14/2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

Amit/-

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