

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63121 of 2017

Arising Out of PS.Case No. -175 Year- 2017 Thana -SISWAN District- SIWAN

- =====
1. Md. Ashif, Son of Kallu Quraishi, resident of Village- Gawli, P.S.- Mahpur, District- Muzaffarpur (Uttar Pradesh).
 2. Sabej Quoraishi, Son of Taufik Quraishi resident of Village- Khatauli Keshwa, P.S.- Khatauli, District- Muzaffarpur (Uttar Pradesh).
 3. Md. Masuk, Son of Late Pir Baksha, resident of Village+ P.S.- Hathgaon, District- Fatehpur (Uttar Pradesh).
 4. Binod Kumar Prajapati, Son of Babddin, resident of Village- Korhi, P.S.- Visanda, District- Banda, (Uttar Pradesh).
 5. Siddik Sekh, Son of Baba Estefan Shekh, resident of Village- Kata Goriya, P.S.- Nalhati, District- Birbhum, (West Bengal).
 6. Binod Mal, Son of Nishir Mal, resident of Village- Kata Goriya, P.S.- Nalhati, District- Birbhum, (West Bengal).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Smt. Renuka Ratnakar

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 11-01-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek bail in connection with Siswan Police Station Case No. 175 of 2017 registered for offences under sections 414, 429, 353, 307 of the Indian Penal Code and sections 11 (1) (D) of the Animal Cruelty Act, 1960.

The informant happens to be a Police Officer. He along with police party, apprehended all the six petitioners on the allegation that they were indulged in smuggling cattle and they



allegedly seized 45 cattles from the place of occurrence.

It has been submitted that from the allegation no offence under sections 353 and 307 of the Indian Penal Code is made out as neither any police sustained any injury nor there is any allegation of causing hindrance in police administration. Further submission is that the petitioners have clean antecedent and they are in custody since 30.10.2017.

Considering the facts and circumstances of the case, the prayer for bail is allowed and the above named petitioners are directed to be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Siswan Police Station Case No. 175 of 2017, 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) The petitioners will not induce any witness or tamper with the evidence.
- (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.

- (iv) If the petitioners are found involved in similar type of offence in future, the prosecution will have liberty to move for cancellation of their bail.

(Sanjay Kumar, J)

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