

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63303 of 2018

Arising Out of PS. Case No.-158 Year-2018 Thana- BAUSI District- Purnia

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1. Abdul @ Abdul Ansari son of Khalil Ansari, Resident of Village- Parasmani, P.S. Supaul, District- Supaul.
 2. Md Sahabuddin son of Md Mustafa Resident of Village- Madhura P.S. Kishanpur District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Sri Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 19-12-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners apprehend their arrest in connection with Baisi P.S. Case No. 158 of 2018, registered under Sections 414, 120(B) 34 of the IPC and Prevention of Cruelty to Animal Act, 1960 and Sections 11, 90, 97, 98, 47 of Animal Transportation Rules, 2001.

Petitioner no. 1, Abdul @ Abdul Ansari is said to be the owner and petitioner no. 2, Sahabuddin happens to be the driver of the truck and the said truck was transporting eleven oxen, which met with an accident with a sand loaded truck in the way.



It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. As a matter of fact, the aforesaid vehicle was hired by one Raiful Miyan for transporting the aforesaid oxen from Maveshi Hat Dagarua, Purnea. Petitioners have no concern with the aforesaid animal. Petitioners have filed challan of the purchase of the aforesaid oxen. Petitioners have no criminal antecedent.

In the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Baisi P.S. Case No. 158 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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