

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6696 of 2019

Arising Out of PS. Case No.-392 Year-2018 Thana- MAJHAULIA District- West Champaran

Babuddin Sah (45 years) (M) son of Late Ibrahim Sah, resident of village -
Bishambharpur, P.S. Bettiah Muffasil, District West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rashmi Jha, Advocate
For the Opposite Party : Mr. J.K. Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 08-02-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 413 and 414 of the Indian Penal Code and Sections 11(1)(a), 11(1)(d), 11(1)(k) of the Prevention of Cruelty to Animals Act, 1960 registered in connection with Majhauria P.S. Case No. 392 of 2018.

3. It is submitted that the petitioner has been falsely implicated as he is the owner of the vehicle in which cattle were being carried. It is submitted that the accusation of smuggling cattle is upon other co-accused and the petitioner had no knowledge about the alleged cattle being carried in the vehicle. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah in connection



with Majhaulia P.S. Case No. 392 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

BT/Chandran

(Vikash Jain, J)

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