

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.1226 of 2019**

Arising Out of PS. Case No.-295 Year-2018 Thana- BAIKUNTHPUR District- Gopalganj

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1. Firoz Alam @ Firoj Alam , aged about 30 years Male, son of Late Serajuddin Miyan @ Sarajul Miya, Resident of Sirsa, P.S. Baikunthpur, District- Gopalganj.
  2. Pankaj Kumar, aged about 20 years Male, son of Dashrath Mahto, Resident of village- Khajuhatti, P.S.- Baikunthpur, district- Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Mohammad Sufyan, Adv.

For the Opposite Party/s : Mr.Sri Manoj Kumar – 1 (APP)

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**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

2      18-01-2019                      Heard learned counsel for petitioners and learned counsel for the State.

Petitioners, who are in custody, seek bail in connection with Baikunthpur P.S. Case No. 295 of 2018 registered for the offences punishable under Sections 441, 414/34 of the Indian Penal Code and Section 11 (D)(F) of the Prevention of Cruelty of Animals Act.

Informant who is a police officer received a secret information that the cattle smugglers with stolen cattle were being carried upon Pick-up van and on such information, he along with police personnel reached the place of occurrence and apprehended the petitioners and on search two buffaloes and five calves were found, on demand of papers they did not



produce any paper either of the pick-up van or cattle.

It has been submitted on behalf of the petitioners that they innocent and have committed no offence. They have been falsely implicated in this case. Petitioner no. 1 is owner of the Pick-up van and petitioner no. 2 is driver of the pick-up van. Petitioners are in custody since 29.11.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj, in connection with Baikunthpur P.S. Case No. 295 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, their bail bond shall be cancelled by the court below.
- (3) If the petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

**(S. Kumar, J)**

Rajiv/-

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