

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29736 of 2019

Arising Out of PS. Case No.-234 Year-2018 Thana- NASRIGANJ District- Rohtas

1. MERAJ KURAISHI S/o Shamma Kuraishi Resident of Nasariganj, P.S. Nasariganj, Distt. Rohtas.
2. Salim Kuraishi S/O Late Ali Kuraishi Resident of Nasariganj, P.S. Nasariganj, Distt. Rohtas.
3. Vasim Kurasih S/O Late Halim Kuraishi Resident of Nasariganj, P.S. Nasariganj, Distt. Rohtas.
4. Najakat Kuraishi S/O late Khalil Kuraishi Resident of Nasariganj, P.S. Nasariganj, Distt. Rohtas.
5. Md. Nehal Kuraish S/O late Badruddin Kuraishi Resident of Nasariganj, P.S. Nasariganj, Distt. Rohtas.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dineshwar Mishra

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 07-05-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Nasariganj P.S. Case No. 234 of 2018 for the offence punishable under Sections 153(A), 295(A) and 429 of the Indian Penal Code and Section 11 of Prevention of Animal Cruelty Act.

The case of the prosecution is that the persons, named in the First Information Report, were carrying skin of the dead animals in a pick-up 407 vehicle.

Learned counsel appearing on behalf of the petitioners has submitted that in absence of any allegation of



overt act, constituting offence under Section 295(A) of the Indian Penal Code, to outrage a religious feeling, the said section has been wrongly applied. Same is the case with Section 153(A) of the Indian Penal Code.

I find substance in the submission so advanced on behalf of the petitioners. This application is accordingly allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Bikramganj, Rohtas, in Nasariganj P.S. Case No. 234 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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