

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33957 of 2019

Arising Out of PS. Case No.-114 Year-2019 Thana- BIKRAMGANJ District- Rohtas

Sri Raj Kumar @ Raj Kumar Son of Sri Ram Awatar Prasad Resident of -
Ismil Sahid Marg, Purani Kila, Pokhar, P.S.- Sarai (O.P), Distt - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Jha, Advv.

For the Opposite Party/s : Ms.Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 23-05-2019 Heard learned counsel for the petitioner and
learned counsel for the State.

The petitioner seeks bail in connection with
Bikramganj P.S. Case No.114 of 2019 registered under Sections
429, 153A, 295A, 420, 467, 468, 471 and 120B of the Indian
Penal Code, Section 11 of the Prevention of Cruelty to Animal
Act, 1960, Section 345 read with 429 of the Municipal Act,
2007 and Section 79 of the Police Act.

It is submitted by the learned counsel for the
petitioner that the petitioner has a transport business by name of
Krishan Roadlines. The truck does not belong to him. He hired
trucks for transport purposes from their owners. The alleged
truck from which recoveries were made was hired by Surajmani



Enterprises who sold the leather to N.S.Leathers, Kolkata and accordingly invoice was issued by the petitioner and the consignee submitted its tax invoice, E-Way Bill and also the license for carrying out the business of raw leather. The Sadaf Enterprises, Kolkata bought the raw salted hides from Anis Hussain, Arshad Hussain and Aftab Alam of Lal Kothi, Danapur, Patna and accordingly the service of the petitioner was hired for transporting the same. The petitioner has no concern with the materials recovered. It is further contended that the petitioner has got no criminal antecedent and is in custody since 05.03.2019.

Per contra, learned counsel for the State submitted that the petitioner along with driver and conductor was surrounded by the local people and on information when the police reached they found skin and meat loaded on the truck and the same was accordingly seized. On enquiry the driver and the conductor disclosed that the meat was being bought from illegal slaughter house from Sasaram and by preparing forged documents they were taking these materials to Kolkata.

Be that as it may, taking into consideration the facts and circumstances of the case, the period of more than two and half months spent by the petitioner in custody as an under trial



prisoner and the statement made in paragraph-3 that he has got no criminal antecedent, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Bikramganj (Rohtas) in connection with Bikramganj P.S. Case No.114 of 2019 subject to the following conditions:-

- (a) that the petitioner shall attend court in accordance with the conditions of the bond executed,
- (b) that the petitioner shall not commit an offence similar to the offence of the present case, and
- (c) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Ashwani Kumar Singh, J)

Md. S/-

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