

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37791 of 2019**

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

- =====
1. MD. SHOHARAB KURAISHI @ SOHRAB KURAISHI, aged about 36 years, male, S/o Late Halim Kuraishi Resident of Hariharganj, Nasariganj, P.S.- Nasariganj, Distt.- Rohtas
 2. Nausad Kuraishi, aged about 38 years, male, S/o Late Nejam Kuraishi Resident of Hariharganj, Nasariganj, P.S.- Nasariganj, Distt.- Rohtas
 3. Aslam Kuraishi, aged about 40 years, male, S/o Shamu Kuraishi Resident of Hariharganj, Nasariganj, P.S.- Nasariganj, Distt.- Rohtas
 4. Sharwar Kuraishi, aged about 45 years, male, S/o Emamuddin Kuraishi Resident of Hariharganj, Nasariganj, P.S.- Nasariganj, Distt.- Rohtas

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Dineshwar Mishra, Advocate.
For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 25-06-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 153(A), 295(A), 429 of the Indian Penal Code and Section 11 of Prevention of Animal Cruelty Act registered in connection with Nasariganj P.S. Case No. 234 of 2018.

3. It is submitted that the petitioners have been falsely implicated merely on suspicion, except which there is no objective material to connect the petitioners with the alleged occurrence. No recovery of the incriminating goods has been made from the conscious possession of the petitioners. Similarly situated co-accused persons have been granted anticipatory bail



by this Court in Cr. Misc. No. 29736 of 2019. The petitioners claim clean antecedents.

4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bikramganj, Rohtas in connection with Nasariganj P.S. Case No. 234 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

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

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

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

(iv) That the petitioners 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, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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