

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79992 of 2018

Arising Out of PS. Case No.-238 Year-2018 Thana- HASPURA District- Aurangabad

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Bigan Quaraisi @ Vigan Quaraishi @ Nezamuddin Quaraishi, son of Md.
Shamsuddin Quairaisi Vill-Amjharsharif, P.S-Haspura, Distt.-Aurangabad

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Javed Jafar Khan, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, Adv.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 25-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 18.11.2018 in a case registered for the offence punishable under Sections 147,149,151,341,342,337,307 and 353 of the Indian Penal Code, Sections 11(1)(a), (e) of The Prevention of Cruelty to Animals Act, 1960 and Rules 47/48/49/51, 51(1), 52, 54 (1)(2)/ 56 (i) (ii) of the Transport of Animals, Rules, 1978.

The prosecution case as per the self statement of S.I. D. N. Singh, SHO, Haspura Police Station recorded on



17.11.2018 at 09.30 P.M. to the effect that on the same day at about 6.00 P.M, during vehicle check, one pickup van was made stop loaded with animals. The driver of the vehicle disclosed his name as Md. Sultan. The pickup van was seized and was taken to the police station, but on the way, nine FIR named accused persons and 10-15 unknown got the driver of the vehicle released and attacked at the police personnel and obstructed them in discharging of official duty.

It is submitted by learned counsel for the petitioner that though the petitioner is named in the FIR, but the accusation is general and omnibus against the mob. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the petitioner and other co-accused persons tried to obstruct the police personnel in discharging of official duties.

Considering the accusation against mob, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate,



1st Class, Daudnagar, Aurangabad, in connection with Haspura
P.S. Case No.238 of 2018.

(Dinesh Kumar Singh, J)

Ashwini/-

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