

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78838 of 2018

Arising Out of PS. Case No.-317 Year-2018 Thana- SULTANGANJ District- Patna

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1. Surendra Ray S/o Late Lakhan Ray R/vill-Kala Diyara, P.S-Salimpur and Distt.-Patna.
 2. Lutkun @ Lutkun Khalifa S/o Late Buchhi Nat R/moh-Check Post, Didarganj, P.S-Malsalami, Distt.-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No-2

For the Opposite Party/s : Mr.Sri Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 09-01-2019 Heard learned counsel for the parties.

Petitioners seek bail in Sultanganj P.S. Case No. 317 of 2018 registered for the offence punishable under Sections 279, 379, 411, 428 and 429 of the Indian Penal Code, under Section 3/4 of the Bihar Preservation and Improvement of Animal Atrocities Act, and under Section 11(1)/D/E/F/30(i) of the Animal Atrocities Act, 2016.

Allegation against the petitioner is that from the pickup van which was driven by him and other co-accused was co-driver was intercepted by the police on which four cows and five calves were found and allegation is that they were being carried for some illegal purpose.

It has been submitted on behalf of the petitioners that



they loaded the cattle on his pickup van to be transported to the purchaser of the said cattle. Petitioners have no criminal antecedent and they are in custody since 15.11.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Patnacity, Patna in connection with Sultanganj P.S. Case No. 317 of 2018, with following 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 the Court and their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the court below.

(3) If the petitioners tamper 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)

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