

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77780 of 2019

Arising Out of PS. Case No.-56 Year-2019 Thana- DIGHALBANK District- Kishanganj

Niraj Seikh S/o Sohail Seikh R/o village- Bilayati Bari ward No. 4 Gaon
Palika Kama Toli, P.S. and District- Jhapa (Nepal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Sinha, Advocate

For the Opposite Party/s : Mr. Ajay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Section 414 of the the Indian Penal
Code and Sections 11(i)(a)(d) of Animal Prevention Cruelty Act.

As per prosecution case, the informant stated that on
23.07.2019 at about 17.30 hours, he received secret information
that some persons are transporting illegally some cattle from
India to Nepal near Indo-Nepal border. On this informant, he
along with his team reached there and saw that some people are
driving some cattle from Indo-Nepal border and the cattle are
tied together and were beaten. On seeing the SSB team, some
persons fled away from the place of occurrence, but on chase
one person caught hold with two animals. On query, he
disclosed his name as this petitioner and the animals were



seized.

Learned counsel for the petitioner submits that the petitioner has committed no offence and has falsely been implicated in this case. He further submits that the entire allegation is made in the FIR is frivolous. He further submits that, in fact, one Javed Seikh, who is cousin brother of the petitioner had gone to Lohagara hat for purchase buffaloes for Javed Alam and after purchasing the said buffaloes with genuine receipt from Manoj Kumar Yadav, Javed Alam had gone to other place for some work and petitioner returned back with buffaloes to his place Japhar (Nepal) and in the meantime, he was apprehended and a photo copy of said receipt is enclosed in the bail petition vide Annexure-2.

In the facts and circumstances of the case, let the petitioner above named 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 Sub Divisional Judicial Magistrate, Kishanganj in connection with Dighalbank P.S.Case No.56 of 2019.

(Anjani Kumar Sharan, J)

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