

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80358 of 2019**

Arising Out of PS. Case No.-264 Year-2019 Thana- BASOPATTI District- Madhubani

1. Md. Chhote, Sex-M, age about 56 years, Son of Md. Rahman, Resident of Village - Dhoighat (Dhoidhar), P.S.- Sadar, District- Darbhanga.
2. Md. Mustak, Sex- Male, age about 22 years, Son of Md. Jalil, Resident of Village - Urdu Bazar, P.S.- Lehariya Sarai, District- Darbhanga.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Bhavesh Kumar Sah and Mr. Sanjay Kumar,
Advocates.
For the Opposite Party : Mr. N. N. Tiwari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-12-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek bail in a case for the offence registered under Sections 401, 413, 120(B) of the IPC and 11(i) (B)(D) and (E) of the Prevention of Cruelty to Animal Act, 1960.

The prosecution story, in brief, is that on 16.10.2019 at about 11.00 A.M. during the course of patrolling, the police saw that three Pick-up Vans loaded with cattle are coming from the side of Basopatti Bazar. The police gave signal to stop the vehicle. Thereafter, the police arrested the petitioners and recovered 11 cattle from the said vehicles.

It has been submitted by learned counsel for the



petitioners that the petitioners are in custody since 16.10.2019. The petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The petitioner no.1 is the driver and petitioner no. 2 is the co-driver of the said Pick-up Vans in question. They had no knowledge regarding the purpose of cattle which were being transported. The said cattle were transported to Darbhanga and in the transit, vehicles were stopped and the present case has been instituted. The petitioners had no intention to commit cruelty upon the animals.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. V, Madhubani, in connection with Basopatti P.S. Case No. 264 of 2019.

(Sudhir Singh, J)

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