

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23704 of 2020

Arising Out of PS. Case No.-57 Year-2020 Thana- BASOPATTI District- Madhubani

1. DILSAD AHMAD, S/o Abash @ Md. Abas Resident of Village-Sothgaon (Madhubani Tol), P.S.-Harlakhi, District-Madhubani.
2. Kafil Ahmad S/o Md. Idrish, Resident of Village-Malmaal, P.S.-Kaluahi, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Dilip Kr. No.1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-10-2020 Heard learned counsel for the petitioners and learned
APP for the State through virtual court proceedings.

Since the physical court proceeding is non-functional,
due to present pandemic, COVID-19, the matter is listed with
defects.

Learned counsel for the petitioners undertakes to
remove the defects as pointed out by the office within three
weeks of normal functioning of the court, failing which the
office is directed to place the matter before the Bench.

The petitioners seek bail in a case registered for the
offence punishable under Sections 120(B), 413 of the Indian
Penal Code and 11 (I), (B), (E) of the Animal Cruelty Act 1960.



Allegation against the petitioners is of smuggling the animals.

Learned counsel the petitioners submits that the petitioners are innocent and have committed no offence as alleged. As a matter of fact, no occurrence in the manner alleged. He further submits that the petitioners are made accused only on suspicion. Petitioner no. 1 is driver of the seized vehicle and he only responsible for the obey the order of vehicle owner and so far petitioner no. 1 has no any concerned with seized vehicle and seized animals. He further submits that the younger brother of petitioner no. 2 namely Pappu who has purchased the animals from the Umgaon Animal Hat and so far there is no any question a raised that all the animals have stolen property (purchasing receipt is at Annexure-2 of the bail application). The petitioners are in jail custody since 12.03.2020 and have no criminal history which is mentioned in para 3 of the bail petition.

Learned APP for the State opposes the prayer for bail petition.

In the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (rupees twenty five thousand) each with



two sureties of the like amount each in connection with
Basopatti P.S. Case No. 57/2020 to the satisfaction of the
learned J.M. 1st Class, Madhubani.

(Anjani Kumar Sharan, J)

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