

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 25430 of 2020

Arising Out of PS. Case No.-372 Year-2019 Thana- SASARAM (M) District-Rohtas

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Samasuddin Quraishi, aged about 55 years, male, son of Ajij Quraishi,
resident of Village- Quraishi Mohalla, Moradabad, P.S.-Sasaram (M), District
Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Siddharth Harsh, Advocate
For the State : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 11-11-2020

The matter has been heard *via* video conferencing due
to circumstances prevailing on account of the COVID-19
pandemic.

2. Heard Mr. Siddharth Harsh, learned counsel for the
petitioner and Mr. Bharat Bhushan, learned Additional Public
Prosecutor (hereinafter referred to as the ‘APP’) for the State.

3. The petitioner apprehends arrest in connection with
Sasaram(M) PS Case No. 372 of 2019 dated 04.12.2019,
instituted under Sections 147/148/149/323/332/333/337/338/
307/ 353 of the Indian Penal Code and 11 of The Prevention of
Cruelty to Animals Act, 1960.

4. The allegation against the petitioner and 18 other
named co-accused as well as 70-80 unknown persons is of



running illegal slaughter houses and along with 20-25 females of pelting stones on the police when they had gone to raid the place.

5. Learned counsel for the petitioner submitted that as per the allegation the entire locality had released the cattle from their houses and 74 cattle were found on the outside and released in open by the police. However, it was submitted that more than a hundred persons have been made accused without there being any recovery from any person or any specific act alleged against anyone. It was further submitted that though there is general allegation of recovery of animal skins, but in the seizure list no such item has been mentioned. Learned counsel submitted that even the allegation of pelting stones is not corroborated as no injury report has been brought on record and also there is no allegation of damage to any government property. Learned counsel submitted that the allegation is general and bald and due to *mala fide* and highhandedness on the part of the police and further that even if it is believed that the cattle were released by the police, those cattle were found on the road outside and not recovered from the house of the petitioner or for that matter any of the accused in the case. Learned counsel submitted that even with regard to running



slaughter houses, neither the house of the petitioner was ever inspected nor there was any recovery to indicate or substantiate or corroborate such allegation, which is proved from the seizure list itself which does not even mention recovery of any such material. It was submitted that the petitioner has no criminal antecedent.

6. Learned APP submitted that the petitioner is alleged to have been running an illegal slaughter house. However, he did not controvert the fact that as per the seizure list, there is neither any recovery of any cattle from him nor any articles to show that he was running an illegal slaughter house and also that there is no indication that the police ever inspected the house of the petitioner.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Rohtas at Sasaram in Sasaram(M) PS Case No. 372 of 2019, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.



8. The application stands disposed off in the
aforementioned terms.

(Ahsanuddin Amanullah, J)

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