

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.222 of 2021

Arising Out of PS. Case No.-221 Year-2020 Thana- SUPPI District- Sitamarhi

1. BHAKHARI RAI Son of Late Chandeshwar Ray Resident of Village- Mohanpur, P.S.- Piprahi, District- Shivahar.
2. Anchit Shah Son of Late Janak Shah Resident of Village- Rashulpur, P.S.- Majorganj, District- Sitamarhi.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 19-03-2021 Learned counsel for the petitioners undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners, in the present case, are seeking regular bail in connection with Suppi P.S. Case No. 221 of 2020 registered for the offence under Section 414 of the Indian Penal Code and Section 11(a)(d)(e)(k) of the Prevention of Cruelty to Animal Act.

Learned counsel for the petitioners submits that as per the prosecution story, the S.S.B. personnel on a secret information received from the Vigilance Department about carrying of buffalo calves to Nepal, conducted a search and seized a Tata Magic



bearing registration no. BR-30B-8868 and seven buffalo calves.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. It is submitted that the petitioner no. 1 is the driver of the seized vehicle and petitioner no. 2 is the owner of buffalo calves which he had purchased from Sitamarhi, animal market. Learned counsel submits that the petitioners have got no criminal antecedent and they are in custody since 08.09.2020.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioners.

Having regard to the facts and circumstances of the case, the nature of the accusation and the materials placed before this Court as also that petitioners have remained in jail in connection with the present case since 08.09.2020 and investigation against them is complete, let the petitioners above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi in connection with Suppi P.S. Case No. 221 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,



(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedents of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands disposed of.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

