

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1930 of 2021

Arising Out of PS. Case No.-106 Year-2020 Thana- KHUTAUNA District- Madhubani

Mukesh Kumar Yadav Son of Ashok Kumar Yadav Resident of Village-
Katwata, P.O.- Kalpatti, P.S. - Phulparas District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Bihari Singh

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-03-2021

Heard learned counsel for the parties.

The petitioner seeks bail in Khutauna P.S. Case No. 106 of 2020, corresponding to G.R. No. 1484 of 2020, registered for the offence under Sections 379, 34 of the Indian Penal Code and Section 11 (a)(d)(c) of the Prevention of Cruelty to Animals Act, 1960.

As per the prosecution case, the accused persons, including this petitioner, were carrying cows in a vehicle, and when they were apprehended by the police, on the said vehicle, a dead cow was found due to cruelty inflicted by them.

It is submitted on behalf of petitioner that petitioner is innocent and has been falsely implicated in this case. Other three similarly situated co-accused have already been granted bail by this Court, vide order dated 30.01.2021 passed in



Cr.Misc. No. 36635 of 2020. It is further submitted that said cows were purchased by the accused persons and were being brought from Nepal and one of the cow was died during transportation. Petitioner has got clean antecedent and he is in custody since 12.08.2020.

Considering the aforesaid facts and circumstances as well as nature of accusation, let the above named petitioner be enlarged 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 Chief Judicial Magistrate, Jhanjharpur in connection with Khutauna P.S. Case No. 106 of 2020 (G.R. No. 1484 of 2020), on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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