

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 25926 of 2021**

Arising Out of PS. Case No.-428 Year-2018 Thana- BIKRAMGANJ District- Rohtas

1. DADA KURAISHI SON OF KUDUS KURAISHI R/O - WARD NO.22, BIKRAMGANJ, P.S.- BIKRAMGANJ, DISTRICT- ROHTAS.
2. NEJAM KURAISHI SON OF CHHOTAK KURAISHI R/O - WARD NO.22, BIKRAMGANJ, P.S.- BIKRAMGANJ, DISTRICT- ROHTAS.
3. EKBAL KURAISHI SON OF TEJU KURAISHI R/O - WARD NO.22, BIKRAMGANJ, P.S.- BIKRAMGANJ, DISTRICT- ROHTAS.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajani Kant Singh  
For the Opposite Party/s : Mr.APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      10-03-2022                      At the outset, it is submitted by learned counsel for the petitioner that he is pressing this application only against petitioner nos. 1 and 2 as application against petitioner no. 3 has already been dismissed as withdrawn by order dated 22.1.2022.

Heard learned counsel for the petitioners and learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Bikramganj P.S. Case no. 428 of 2018 instituted for the offence punishable under Sections 429, 153A, 295A/34 of the Indian Penal Code, Section 11 of the Prevention of Cruelty to



Animals Act, Section 345 read with 429 of Bihar Municipal Act and Section 79 of the Bihar Police Act.

As per allegation in the FIR, petitioners are involved in running illegal slaughter house without valid licence. They use to sell the beef for commercial purpose and the residual is left there due to which there is apprehension of spreading epidemic and of communal riots.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. Nothing has been recovered from their conscious possession or from the house of the petitioners. Petitioners are poor labourers. Only on the basis of suspicion, they have been falsely implicated in this case. There is nothing in the FIR which suggest that the accused persons deliberately and maliciously acted to outrage the religious feelings of any class by insulting its religion or religious belief.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner no. 1 and 2 on bail. The petitioners nos. 1 and 2 are directed to surrender in the



Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Bikramganj P.S. Case no. 428 of 2018, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM 1<sup>st</sup>, Bikramganj subject to the conditions as laid down under section 438(2) of the Cr.P.C.

**(Sunil Kumar Panwar, J)**

sushma/-

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