

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21834 of 2022

Arising Out of PS. Case No.-50 Year-2022 Thana- KESARIA District- East Champaran

1. NAWAJISH Son of Shaukat @ Shaukat Ali Resident of Village - Saprana, P.S.- Jhikrana, Distt.- Shyamli (U.P.)
2. Azim Son of Afzal @ Md. Afzal Resident of Village - Shyamli, P.S.- Shyamli, Distt.- Shyamli (U.P.)
3. Hasim Son of Yasin Resident of Village - Tauli, P.S.- Sahpur, Distt.- Muzaffarnagar, (U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abbhishek Kumar

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 16-08-2022 Learned counsel for the petitioners is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

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

The petitioners have preferred this application for grant of regular bail in a case registered under sections 414 read with 34 of the Indian Penal Code, sections 11(A)(B) (C) (D) (I) (N) and (K) of the Prevention of Cruelty to Animal Act and Rules 46, 47, 48, 90, 91 and 96 of the Transport of Animals Rules.

As per the prosecution case, allegation against the petitioners is that 76 buffaloes were being transported illegally which were recovered from the container of the vehicles which



were intercepted and the petitioners and co-accused person were apprehended by the informant.

Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Nothing has been recovered from the possession of the petitioners. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 10.02.2022. The petitioners are the drivers of the said vehicles. The other co-accused person has already been granted bail vide order dated 18.05.2022 passed in Criminal Misc. No. 24611 of 2022 by the Co-ordinate Bench.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

Considering the aforesaid facts and circumstances, the petitioners above-named, are directed to be enlarged on bail on them furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Kesariya P.S. Case No. 50 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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