

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40880 of 2021**

Arising Out of PS. Case No.-64 Year-2020 Thana- HASPURA District- Aurangabad

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BIGAN QUARAISI @ BIGAN QURAISHI @ NIJAMUDDIN QUARAISHI
@ NIJAMUDIN KURESHI @ VIGAN KURAISHI Son of Kanhai Singh @
Kanhaiya Singh Resident of Village- Amjhar Sharif, P.S.- Haspura, Dist-
Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 07-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner, who is in custody since 25.05.2021,
seeks bail in connection with Haspura P.S. Case No. 64 of 2020,
for the offence punishable under Sections 429/295(A) of the
Indian Penal Code, Sections 11, 20 and 30 of the Prevention of
Cruelty to Animal Act, 1960 and Sections 3/4 of the Bihar
Prevention of Improvement Prevention Act, 1986.

The case of prosecution in brief is that on the basis of
the photograph submitted by the informant, who has claimed



himself to be Animals Right Activists, alleged that the petitioner is running along with other co-accused a slaughter house and 40 cattle were brought for slaughtering. It has further been alleged that the petitioner fled away after seeing the raiding team.

Learned counsel appearing on behalf of the petitioner submits that the petitioner operates *Khatal*, and he earns his livelihood by selling milk. Merely on the basis of some photographs, he has been made accused in this case. The allegation made against the petitioner is unsustainable because altogether 17 cow, buffalo and calves were found and accordingly seizure list was prepared.

Learned counsel appearing on behalf of the State has opposed the prayer for bail to the petitioner.

Considering the aforesaid facts and circumstances of the case, the petitioner above named be released on bail on furnishing bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Haspura P.S. Case No. 64 of 2020, subject to the following conditions:-

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court



concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

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

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

brajesh kumar/-

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