

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35426 of 2022

Arising Out of PS. Case No.-180 Year-2022 Thana- BARBIGHA District- Sheikhpura

1. Ejaj Quraishi Son Of Md. Rustam Kuraishi @ Rustam Quraishi Resident Of Mohalla- Banulia, Ward No. 32 Land Mark New Water Tank Area, P.S.- Bihar Sharif, District- Nalanda
2. Md. Mushtak Alam Son Of Md. Jamal Khan Resident Of Village- Gajandiwan, P.S.- Bihar Sharif, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anisur Rahman
For the Opposite Party/s : Mr. Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-11-2022 Heard learned counsel for the petitioners and the State.

Petitioners apprehend arrest in a case registered for the offence punishable under Sections 414, 429 of Indian Penal Code, Sections 11 (1) a, d, e, I, k, of Prevention of Cruelty of Animals Act and Sections 47 (a), 48 of Cattle Transportation Act, 1978.

As per prosecution case, 84 cattle were recovered the vehicle of this petitioner.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. Petitioner No. 1 is owner of the seized truck and



petitioner No. 2 is driver of the said vehicle. It is submitted that offence under Section 414 of IPC is not made out against the petitioners as they are driver and owner of the truck and all other sections are bailable in nature. It is further submitted that owner of cattle, Zakir, has already been granted regular bail passed in Cr. Misc. No. 35946 of 2022 vide order dated 20.09.2022. Petitioners have got clean antecedent.

Considering the fact that owner of cattle has already been granted regular bail and clean antecedent of these petitioners, let the above named petitioners in the event of their arrest/surrender before the court below within a period of thirty days from the date of receipt/production of copy of this order, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Sheikhpura in Barbiga P. S. Case No. 180 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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