

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47637 of 2021

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

ISARIFUL PUNJABI @ ISHRIFUL PANJABI Son of Hasamul Panjabi
Resident of Village - Gram Beldari Tola, P.O.- Madhopur, P.S.- Laukaha,
Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gauri Shankar Thakur, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of four
weeks.

The petitioner is apprehending his arrest in Khutauna P.S.
Case No. 106 of 2020 registered under Section 379/34 of the Indian
Penal Code and under Section-11(a)(d)(c) of the Prevention of
Cruelty to Animal Act, 1960.

Allegedly, cattle were brought to India from Nepal for
smuggling.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner



has been falsely implicated in the present case. As per prosecution case, other accused persons were apprehended with cattle which were being carried from Nepal to India. The name of the petitioner has transpired in this case on the basis of disclosure made by co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. There is no recovery of any incriminating article from possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Madhubani in connection with Khutauna P.S. Case No. 106 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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