

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41854 of 2022

Arising Out of PS. Case No.-77 Year-2022 Thana- GURARU District- Gaya

MD. NAZIM QURAISHI @ MOHAMMAD NAZIM QURAISHI Son of
Md. Nayeem Quraishi Resident of Village - Maheshpur, P.S.- Salaiya, Distt.-
Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashish Kumar Ranjan, Advocate
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 06-12-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 429, 414,
120(B) of the IPC and 3, 4, 11, (a)(d)(h)(k) of Preservation and
Improvement of Animals Rules and 4 of Prevention of Cruelty
of Animals Act.

According to prosecution case, in brief is that on
28.04.2022 at about 13:50 hours the informant along with his
associates namely Shailendra Kumar and Monu Kumar seized a
Tata Pick-Up Van bearing Registration No. BR-26-GB-5086



overloaded with altogether 9 cattle barbarically condition and handed over to the concerned P.S. along with the driver of said Pick-Up Van namely Yogi Yadav.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case on the ground that the petitioner is owner of the vehicle in question. He further submits that except the confessional statement of the driver namely, Yogi Yadav no cogent material has come during the investigation against the petitioner and petitioner was not apprehended on the spot.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender within a period of four weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Guraru P.S. Case No. 77 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:-

1. Petitioner shall co-operate in the trial and



shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

nilmani/-

U		T	
---	--	---	--

