

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37909 of 2022

Arising Out of PS. Case No.-294 Year-2020 Thana- BIKRAMGANJ District- Rohtas

1. PHULLA KURAISHI Son of Pheku Kuraishi Resident of Mohalla - Rahmat Nagar, Kuraishi Mohalla, Ward No. 22, Bikramganj, Police Station- Bikramganj, District - Rohtas.
2. PRABEJ KURAISHI Son of Pheku Kuraishi Resident of Mohalla - Rahmat Nagar, Kuraishi Mohalla, Ward No. 22, Bikramganj, Police Station- Bikramganj, District - Rohtas.
3. BUDHAN KURAISHI Son of Late Khaderan Kuraishi Resident of Mohalla - Rahmat Nagar, Kuraishi Mohalla, Ward No. 22, Bikramganj, Police Station- Bikramganj, District - Rohtas.
4. KHURSHID KURAISHI Son of Budhan Kuraishi Resident of Mohalla - Rahmat Nagar, Kuraishi Mohalla, Ward No. 22, Bikramganj, Police Station- Bikramganj, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 48155 of 2022

Arising Out of PS. Case No.-294 Year-2020 Thana- BIKRAMGANJ District- Rohtas

BECHU QURAISHI @ MINHAJ QURAISHI Son of Late Munnu Quraishi Resident of Village - Rahmat Nagar Quraishi, P.s.- Bikramganj, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 37909 of 2022)

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate

For the Opposite Party/s : Mr. Asha Kumari, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 48155 of 2022)

For the Petitioner/s : Mr. Kiran Kumari Sharma, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-12-2022

CRIMINAL MISCELLANEOUS No.37909 of 2022

Heard learned counsel for the petitioners and learned

A.P.P. for the State.



The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 429, 153A, 295A and 34 of the Indian Penal Code, Section 11 of Prevention of Cruelty to Animals Act and 345 and 429 of Bihar Municipality Act.

Learned counsel for the petitioners submits that petitioner No. 1 is a person with clean antecedent and petitioner No. 2 and 3 have antecedent of one case and petitioner No. 4 has antecedent of four cases and in the FIR, it is alleged that on secret information that animals are being transported in a cruel manner and some of the accused persons are loading cows meat on a vehicle even though the slaughterhouse of the neighborhood does not have the requisite license and approval to run the same, a raid was conducted, where a vehicle was found to be completely covered with tarpaulin which was intercepted in which huge quantity of cows meat was found to be loaded, thus, it is alleged that the petitioners and several others are responsible for transportation of cows meat from a slaughterhouse which was not being run in accordance with law and did not have the approval of the authorities.

Learned counsel submits that the petitioners have been falsely implicated in the present case, it is next submitted that no doubt the acquisitions is serious in so far as implication of petitioners in the present case is concerned, but then no attempt was made by the informant to verify the information received by the police about their participation merely because they are resident of Quraishi Mohalla,



which is predominantly inhabited by muslims, they have been made accused in this case on basis of suspicion, it is also submitted that petitioners are labourer who are ready to work at any station on getting remuneration for each working day. It is next submitted that similarly situated co-accused Ismail Quraishi and three others have been granted anticipatory bail by order dated 24.05.2022 in Criminal Misc. No. 24305 of 2020.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bikramganj P.S. Case No. 294 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

CRIMINAL MISCELLANEOUS No. 48155 of 2022

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 429, 153A, 295A and 34 of the Indian Penal Code, Section 11 of Prevention of Cruelty to



Animals Act and 345 and 429 of Bihar Municipality Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent, it is alleged that on secret information that animals are being transported in a cruel manner and some of the accused persons are loading cows meat on a vehicle even though the slaughterhouse of the neighborhood does not have the requisite license and approval to run the same, a raid was conducted, where a vehicle was found to be completely covered with tarpaulin which was intercepted in which huge quantity of cows meat was found to be loaded, thus, it is alleged that the petitioners and several others are responsible for transportation of cows meat from a slaughterhouse which was not being run in accordance with law and did not have the approval of the authorities.

Learned counsel submits that petitioner has been falsely implicated in the present case, it is next submitted that no doubt the acquisitions is serious in so far as implication of petitioner in the present case is concerned, but then no attempt was made by the informant to verify the information received by the police about his participation merely because he is the resident of Quraishi Mohalla, which is predominantly inhabited by muslims, he has been made accused in this case on basis of suspicion, it is also submitted that petitioner is labourer who is ready to work at any station on getting remuneration for each working day. It is next submitted that similarly situated co-accused Ismail Quraishi and three others have been



granted anticipatory bail by order dated 24.05.2022 in Criminal Misc.
No. 24305 of 2020.

Learned A.P.P. for the State opposes the prayer for
anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel
for the petitioner, the petitioner above-named, in the event of his
arrest or surrender before the learned trial court within a period of six
weeks from today, be released on anticipatory bail on furnishing bail
bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of
the like amount each to the satisfaction of the learned trial court
where the case is pending/successor court in connection with
Bikramganj P.S. Case No. 294 of 2020 subject to the conditions as
laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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