

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21965 of 2023

Arising Out of PS. Case No.-211 Year-2021 Thana- BIKRAMGANJ District- Rohtas

1. KAMARYUB @ KAMARYAB Son of Kalva Resident of Village - Behrora Kithore, Meerut, Police Station - Kithore, District - Meerut (Uttar Pradesh).
2. Nasir Son of Jaffaryab Resident of Village - Behrora Kithore, Meerut, Police Station - Kithore, District - Meerut (Uttar Pradesh).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh, Adv.
For the Opposite Party/s : Mrs.Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-07-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 429, 153(a), 295(a)/34 of the IPC, section 11 of Animal Cruelty Act and sections 345 (r) (w), 425 of Municipal Act, 2007.

As per the prosecution case, a DCM Truck loaded with beef was seized from the spot.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. Petitioners have been falsely implicated in this case due to ulterior motive. It is submitted that petitioner no.1 is



the owner of the said truck and petitioner no.2 is the driver. No incriminating article has been recovered from the conscious physical possession of the petitioners. It is further submitted that petitioner no.1 being the owner of the Truck was not present at the time of loading of the beef and had no knowledge about the same. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Considering the nature of allegation and the fact that the petitioner no.2 was the driver of the said vehicle, I am not inclined to enlarge him on bail. The prayer for grant of anticipatory bail on behalf of petitioner no.2 is hereby rejected.

However, having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner no.1, let the above named petitioner no.1, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with



Bikramganj P.S. Case No.211 of 2021, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

This application is partly allowed.

(Anjani Kumar Sharan, J)

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