

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26406 of 2022**

Arising Out of PS. Case No.-431 Year-2021 Thana- DAUDNAGAR District- Aurangabad

RAEES AHMAD @ MD. RAEES QURAISHI @ RAEES KURAISHI S/o
Haneef Kuraishi R/o Mohalla- Pirahibagh, Ward No. 16, P.S.- Daudnagar,
District- Aurangabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Jubair Ansari

For the Opposite Party/s : Mr.Uday Pratap Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 17-01-2023 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any, within

a period of three weeks from today.

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The Petitioner is apprehending his arrest in a case

registered for the offences punishable u/s 429 read with 34 of

the Indian Penal Code and Section 11, 20, 30 of the Prevention

of Cruelty of Animals Act Section 7, 15 of the Environment

Protection Act and Section 3, 4 of the Bihar Preservation and

Improvement of Animals Act.

As per the prosecution case, on seeing the police,

driver and two other persons sitting on the truck started fleeing



away but they were apprehended by the police and disclosed their names as Md. Akhlak Quraishi, Tanvir @ Haque @ Bhuttu and Md. Sahanawaz Alam @ Prince. On search of the said truck it was found that there were three tones beef. The apprehended persons have disclosed that the petitioner and the other accused person were engaged who used to sell and transport the same.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The name of the petitioner has been disclosed by the apprehended person. Nothing has been recovered from the possession of the petitioner. The name of the petitioner has transpired on the basis of disclose of co-accused person. The petitioner is also accused in one more criminal case as stated in para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the petitioner is also accused in one more case which are related to same and similar nature of offence.

Considering the aforesaid facts and circumstances of the case, as well as the materials available in the case diary, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/-



(Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Aurangabad in connection with Daudnagar P.S. Case No. 431 of 2021, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure with following conditions:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

2. If the petitioner is found involved in same and similar nature of offence in future, the prosecution will have liberty to move for cancellation of bail bonds of the petitioner.

This application stands allowed.

(Chandra Prakash Singh, J)

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