

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74145 of 2022

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

Prabej Kuraishi @ Prabej Koraishi @ Prabej Alam Son of Pheku Kuraishi
Resident of Mohalla - Kuraishi Mohalla, Ward No.- 22, Bikramganj, P.S.-
Bikramganj, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 29-04-2023 Learned counsel for the petitioner undertakes to
remove the defects, if any, within two weeks from today.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking pre-arrest
bail in connection with Bikramganj P.S. Case No.211 of 2021
registered for the offences punishable under Sections 429,
153A, 295A/34 of the Indian Penal Code and Section 11 of the
Prevention of Cruelty to Animals Act, 1960 as well as under
Section 345 read with Section 425 of the Bihar Municipal Act,
2007. He has one criminal antecedent.

As per the prosecution story, on 06.07.2021 at about
1.10 pm the informant received a secret information that in



Quraishi mohalla beef is being loaded on the truck. It is alleged that the informant having informed the C.O. Bikramganj and senior officers of the police department, reached at the spot and found that one truck bearing Reg.No.UP15/BT7713 was standing there. It is alleged that on seeing the policy party all the accused persons fled away. Thereafter, in presence of two witnesses, the truck was searched which was found loaded with beef and the local people disclosed the name of four accused persons including this petitioner.

Learned counsel for the petitioner submits that the petitioner is innocence and has been falsely implicated in this case. Learned counsel submits that the petitioner is a poor labourer and in course of investigation the investigating officer has not collected any material against him.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case, considering the nature of the allegations against the petitioner and the submission of learned counsel for the petitioner that the petitioner is a poor labourer and in course of investigation the investigating officer has not collected any material against him, this Court directs release of the petitioner



above named on bail in the event of his arrest or surrender within a period of four weeks from today in connection with Bikramganj P.S. Case No.211 of 2021 on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, Bikramganj, District-Rohtas, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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.

This application stands allowed.

Certified copy of the order will be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

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