

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71093 of 2023

Arising Out of PS. Case No.-179 Year-2023 Thana- HASPURA District- Aurangabad

Bigan Quraishi @ Nejamuddin Quraishi, Son of Shamsuddin Quraishi,
Resident of Village- Amjhar Sharif, P.S- Haspura, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Haspura P.S. Case No.179 of 2023, registered for the alleged offences under Sections 326B, 290, 379, 414, 429, 120 (B) of the Indian Penal Code and Sections 2/4/4(B) of Animal Preservation and Improvement Act and Section 11 of Prevention of Animal Cruelty Act.

3. As per prosecution case, a practicing lawyer gave a written report to the police about the petitioner and other co-accused persons illegally slaughtering cows, oxen etc. It has further been alleged that the persons have kept confined about 100 cattle in scorching heat in a very pitiable condition. The informant showed his suspicion that the cattle were kept for



smuggling and slaughtering.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. All the offences are bailable except Sections 379/414 of the Indian Penal Code, but the same is not applicable in this case since the police has not specified from where the animals have been stolen. Altogether six persons have been made accused in this case and five of them have been enlarged on anticipatory bail by the learned court below. The petitioner is in custody since 07.08.2023 and the charge sheet has been submitted.

5. Learned APP opposes the submissions made on behalf of the petitioner. The learned APP submits that the petitioner is habitual offender and four cases of similar nature are pending against him.

6. Having regard to the submissions made hereinabove and considering the nature of allegation, period of custody of the petitioner and submission of charge sheet, he is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad, in connection with



Haspura P.S. Case No.179 of 2023, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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