

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81155 of 2023

Arising Out of PS. Case No.-722 Year-2022 Thana- RAMPUR District- Gaya

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1. LALU @ ILIYASH QURAISHI SON OF MOTTU QURAISHI @ AZAD QURAISHI R/O VILLAGE- KHAP, P.S.- CHERKI, DISTRICT- GAYA
 2. MD. ZAFIR QURAISHI SON OF YUSUF QURAISHI R/O VILLAGE- KHAP, P.S.- CHERKI, DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh, Adv.

For the Opposite Party/s : Mr.Md. Matloob Rab, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-12-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in Rampur P.S. Case No. 722 of 2022 registered for the offences punishable under Sections 414, 379, 34 of the Indian Penal Code and Section 1(d)(e)(f) of Bihar Prevention and Improvement of Animal Act, 1955 and Prevention of Cruelty of Animal.

3. As per the prosecution case, the informant received information from higher official regarding an accident and when he reached at the place of occurrence, he extracted the injured driver from truck which was loaded with animals in



which 10 were dead and 14 were alive. On inquiry, the driver disclosed the name of the petitioners along with accused persons to be involved in smuggling of the cattle.

4. 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 suspicion. The allegation levelled against the petitioners is totally false and based on concocted facts. They have no concern with the seized cattle and truck. There is nothing on record to indicate the complicity of the petitioners barring the confessional statement of the apprehended driver which has no evidentiary value in the eye of law. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail and submitted that there is serious allegation against the petitioners to be involved in smuggling of cattle and in the alleged occurrence, it was being transported in barbaric and inhuman condition. Hence, they do not deserve the privilege of anticipatory bail.

6. Considering the facts and circumstances of case and nature of the offence, I am not inclined to enlarge the



petitioners on bail. The prayer for bail of the petitioners is
hereby rejected.

(Anjani Kumar Sharan, J)

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