

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50569 of 2024

Arising Out of PS. Case No.-389 Year-2024 Thana- BIHTA District- Patna

1. Maiharban @ Meharabana Ali S/o Khalil R/o Village- Khaziwada, P.S.- Shamli, District- Shamli (U.P.)
2. Md. Javed @ Javed @ Javed S/o Md. Zarib @ Zareef R/o Village- Ji Sarai, P.S. and Distt.- Baghpat (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nirmala Singh, Adv
For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 05-08-2024 Heard learned counsel for the petitioners and learned A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Bihta P.S. Case No. 389 of 2024 dated 28.04.2024 registered for the offences punishable u/s 279, 307, 397, 413, 414, 120(B) and 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have involved in smuggling of several animals which were secretly loaded in the containers for



sending to Bengal.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is no specific allegation against the petitioner. The petitioners are neither the driver nor the owner of the said vehicle. The petitioners have no concern with the alleged occurrence. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have clean criminal antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 29.04.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioners and the period of custody, the petitioners above-named, is directed to be enlarged on 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, Danapur, Patna in connection with Bihta P.S. Case No. 389 of 2024, with a condition/s:-

(i). The petitioners are 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 petitioners is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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