

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50467 of 2024

Arising Out of PS. Case No.-27 Year-2024 Thana- KURLIKOT District- Kishanganj

Rambabu Rai, Son of Shiwan Rai, Resident of Village - Moglanichak, P.S.-
Waris Nagar, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 28-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Kurlikot P.S. Case No. 27 of 2024 for the offences under Section 414 of the Indian Penal Code and Section 11 (1) (a), 11 (1) (d) of the Prevention of Animal Cruelty Act.

3. As per prosecution case, on the basis of information received by the SSB personnel about smuggling of cattle, three Bolero pick-up vehicles were signaled to stop. All three vehicles tried to escape and they were chased by the SSB personnel in their vehicle. Two vehicles got away, whereas one vehicle was left by the miscreants and from the said vehicle, recovery of three cows and one calf was made. The petitioner is



stated to be the owner of the said vehicle.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has not been arrested from the spot and nothing incriminating has been recovered from his conscious possession. The petitioner has no concern with the recovered cattle. The recovered cattle was not stolen property as the same was being transported under the instruction of owner of the cattle, namely Munna Yadav. The petitioner has been made accused in this case merely on the ground that he is the driver-cum-owner of the said vehicle. The petitioner is having clean antecedent.

5. The learned A.P.P. vehemently opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the completely vague nature of allegation and strong possibility of false accusation, let the petitioner above named in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Kishanganj, in connection with Kurlikot P.S. Case No. 27 of 2024, subject to the condition laid down under Section 438(2) of the code of Criminal Procedure and other 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 below, if so required by the learned trial court.

V.K.Pandey/-

(Arun Kumar Jha, J)

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