

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53660 of 2024

Arising Out of PS. Case No.-12 Year-2024 Thana- Kalibagh District- West Champaran

1. Feku Khan @ Fenku Khan @ Khenku Khan @ Rahamatullah Khan @ Sabir Khan Son Of Late Jabbar Khan R/V- Mohalla- Garwan Toli, P.S. Kalibag, Distt.- West Champaran
2. Md. Sonu Khan Son Of Kehu Khan @ Kenku Khan @FENKU Khan @ Sabir Khan @ Rahamatullah Khan R/V- Mohalla- Garwan Toli, P.S. Kalibag, Distt.- West Champaran
3. Nawroj Khan Son Of Late Md. Akhtar Khan R/V- Mohalla- Garwan Toli, P.S. Kalibag, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 28-08-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Kalibagh P.S. Case No. 12 of 2024 dated 22.03.2024, instituted for the offence punishable under Sections 401, 413, 414, 188, 429, 153(A), 295(A)/34 of the Indian Penal Code read with Section 11(i)(A)(B)(E)(D) of the Prevention of Currently Animals Act, 1960.

3. The prosecution case, in short, is that at the instance of Amjad Khan, police conducted raid in the house of Feku Khan, on seeing the police Feku Khan and Sonu Khan fled



away from their house. It is alleged that beef was recovered from their house. Then again, on the disclosure made by Amjad Khan, the police conducted raid in the house of Bibi Khatoon where Md. Saghir was arrested and disclosed the name of Bibi Khatoon and Lalu Ansari, who fled away. Some articles were recovered. Beef, iron dab, one male calf and one female calf was recovered from the house of Nawroz Khan, who managed in fleeing away.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that only on the basis of disclosure made by Amjad Khan, petitioners have been made accused in this case. It is further submitted that only alive cattle was recovered from the house of the accused, no incriminating articles has been recovered from the house of the petitioners. Lastly, it has been submitted that the petitioners have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of



six weeks from today, in connection with Kalibagh P.S. Case No. 12 of 2024, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran, subject to condition as laid down under Section 438(2) of the Cr.P.C. .

(Khatim Reza, J)

Sankalp/-

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