

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41197 of 2025

Arising Out of PS. Case No.-697 Year-2023 Thana- DEHRI TOWN District- Rohtas

1. Md. Abdul Rab @ Mohammad Abdul Rab S/o- Abdul Lateef Quraishi
Village- Muradabad PS-Sasaram Mufassil Dist- Rohtas
2. Ajmal Alam S/o- Sadrudin Khalifa Village- Muradabad PS-Sasaram
Mufassil Dist- Rohtas

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Babu Nandan Prasad

For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Dehri (Town) P.S. Case No. 697 of 2023 registered for the offences punishable under Sections 429, 153(a), 295(a)/34 of the IPC read with Section 11 of Prevention of Cruelty to Animals Act, 1960 and Sections 345(r) (w) and 425 of Bihar Municipal Act, 2007.

3. As per prosecution case, on the basis of secret information informant along with police officials reached at the spot and recovered 160 kg. beef from the tempo in question. It is alleged that one person, namely, Shahzad Quraishi was



apprehended on the spot who disclosed that said auto was hired by him on rent and he does not know the name and address of the persons who managed to escape from the spot.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR. He further submits that petitioners are not named in the FIR and during course of investigation name of petitioner no. 1 and 2 has been surfaced in this case being owner and driver of the auto in question respectively. Petitioners bear no criminal antecedent. Basically, no incriminating article was recovered from their possession. There is no compliance of Section 100 of the Cr.P.C. and petitioners have been falsely implicated by the police in the present case as the prosecution story reveals that the apprehended person disclosed that said auto was hired by him on rent and in that circumstance, petitioners have nothing to do with the alleged occurrence and their complicity with regard to the alleged occurrence has no meaning at all. In the light of aforesaid facts and circumstances of the case, no case is made out against the petitioners.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the



case, keeping in view clean antecedent of the petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Dehri, Rohtas in connection with Dehri (Town) P.S. Case No. 697 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

shahzad/-

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