

Mohammad Ajad @ Md. Azad vs The State Of Bihar on 10 January, 2024

Author: Prabhat Kumar Singh

Bench: Prabhat Kumar Singh

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80256 of 2023
Arising Out of PS. Case No.-271 Year-2021 Thana- WARISNAGAR District-
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Mohammad Ajad @ Md. Azad S/O Abbas R/O Village- Satamalpur, P.S-
Warisnagar, Distt.- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Mumtaz Uddin, Advocate

For the Opposite Party/s : Mr.Binod Kumar, Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

2 10-01-2024

Heard learned counsel for the petitioner and the State.

2. The petitioner apprehends arrest in connection with Warisnagar P.S.Case No.271 of 2021 registered under Sections 153A,278,284,285,287,290,295A,420,428,429,467,468,120B/34 of the IPC and Section 11 of the Prevention of Cruelty Animal Act, 1960 and Sections 3,4 of Bihar Preservation and Improvement of Animal Act, 1955, Environment Protection Act, 1986 as well as The Solid Waste(Management and Handling) Rule 2000, Transport of Animal Rules 2000, National Green Tribunal Act, 2010, Food Safety and Standard Act, 2006(FSSAI) Central Pollution Control Board Section 51 to 60 of Disaster Management Act, 2015 and Section 3 of Epidemic Diseases Act, 1897, Local Municipality Rules.

3. As per the prosecution case, petitioner was engaged in illegally running slaughter house and exporting beef to Patna High Court CR. MISC. No.80256 of 2023(2) dt.10-01-2024 Kolkata and Hyderabad for last 15 years.

4. Learned counsel appearing for the petitioner submits that no incriminating article has been recovered from the conscious possession of the petitioner or from the alleged slaughter house. The case has been lodged only with a view to extort money by the complainant who claims to be running a NGO.

5. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sessions Judge, Samastipur in Warisnagar Police Station Case No. 271 of 2021, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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