

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51832 of 2015

Arising Out of PS.Case No. -363 Year- 2015 Thana -MOHANIA District- BHABHUA (KAIMUR)

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Shahbaj Khan @ Shahbaj Ali @ Md. Shahbaj Khan S/O Shahjahan Khan,
resident of Village Sihuli, P.S. Amas, District- Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Uma Nath Mishra (App)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 10-11-2015

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Mohania P.S. Case No. 363 of 2015 registered under
Sections 414 of the Indian Penal Code and 11 of the Prevention of
Cruelty to Animals Act.

It is contended that even if the entire allegations are
taken to be true, the ingredients of the offence punishable under
Section 414 of the Indian Penal Code would not be attracted to the
facts of the present case. So far as Section 11 of the Prevention of
Cruelty to Animals Act is concerned, the same isailable in
nature and is punishable with fine only.

Learned counsel for the State has opposed the
application filed on behalf of the petitioner.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender before the court below within six weeks from today, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Mohania P.S. Case No. 363 of 2015, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Pradeep/-

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