

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20831 of 2015

Arising Out of PS.Case No. -44 Year- 2014 Thana -HATHUA District- GOPALGANJ

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1. Amresh Yadav, Son of Chandraman Yadav, Resident of Village- Chau,
P.S.- Turkpatti, District- Kushinagar, Uttar Pradesh.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dhramveer

For the Opposite Party : Mr. A.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 07-07-2015

Heard both sides.

The petitioner apprehends his arrest in connection with Hathua P.S. case no. 44 of 2014, registered under Sections 414/34 of the IPC and Section 11(1)(D)(E)(F) of the Prevention of Cruelty to Animal Act.

The informant who is police officer has alleged that a truck was intercepted. Occupants thereof fled away. On search it was found that few cows were loaded thereon. It has, thus, been alleged that the person who fled away being the petitioner committed theft of the cows and had also indulged in commission of crime punishable under diverse provisions of the Prevention of Cruelty to Animal Act.

Contention of the petitioner is that he was not present at the scene of occurrence. He is owner of the truck. The truck was misused by the driver and other persons. He has no

criminal antecedent.

In the facts and circumstances of the case, this Court is inclined to extend the privilege of anticipatory bail to the petitioner. Let the petitioner, named above, in the event of his arrest/surrender before the learned Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Gopalganj, in connection with Hathua P.S. case no. 44 of 2014, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with further following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner.
- (ii) As soon as the charges are framed the petitioner shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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