

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25673 of 2016

Arising Out of PS.Case No. -264 Year- 2015 Thana -RAJAULI District- NAWADA

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1. Haider Miyan, S/o Rasul Miyan r/o-vill Rajhat, P.S.- Akbarpur, Distt.- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Sri Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-06-2016

Petitioner is apprehending his arrest in a case

registered for the offences punishable under Section 414 of the Indian Penal Code, Rules 47(a)(b)(c), 48, 49(a)(b), 50, 51, 52, 54(i)(3), 56(a)(b)(f) of The Transport of Animals Rules, 1978 & Section 4 The Bihar Preservation and Improvement of Animals Act, 1955 and Sections 4(1), 11(1)(a)(d)(e)(h)(i)(k), 38(3) of The Prevention of Cruelty to Animals Act, 1960.

The prosecution case is that on 31.10.2015 at 10 A.M during patrolling the informant came to know that one pick-up Van was detained by the villagers loaded with cattle. The informant reached on the spot and found that one Ox and two cows were loaded on the pick-up van but neither driver nor owner of the cattle appear. The witnesses suggested that the petitioner used to carry the cattle after purchase.

It is submitted by learned counsel for the petitioner that neither pick-up van nor the cattle belong to the

petitioner and petitioner has no criminal antecedent. A statement to that effect has been made in para 3 of the petition. Moreover the cattle have been released in favour of its rightful owner, though, statement to that effect has not been made in the petition.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Rajauli P.S. Case No. 264 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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