

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44850 of 2017

Arising Out of PS. Case No.-309 Year-2014 Thana- KESARIA District- East Champaran

Saiyad Ruman Akhtar son of Saiyad Nehaluddin, resident of Village- Mirpalo
Durahiya, Police Station- Jamaniya, District- Gajipur (U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar

For the Opposite Party/s : Mr. SRI LAKSHMI KANT SHARMA

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

3 20-12-2017 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Kesariya P.S. Case No. 309 of 2014, disclosing offences under Sections 414/34 of the Indian Penal Code and Sections 11(A), 11(B), 11(C), 11(D), 11(N) and 11(K) of the Prevention of Cruelty to Animals Act, 1960 and Sections 47,48,49(A), 50, 51,96 of the Transport of Animal Rules, 1978.

The petitioner has been implicated for the sole reason of being the owner of the truck bearing registration No. UP-61H-3594, in which 27 cattle (buffalo and she buffalo) were being transported.

Learned counsel appearing on behalf of the petitioner has submitted that said cattle have been released in favour of one



Dulare and, therefore, no case of the offence punishable under Sections 414/34 of the Indian Penal Code is made out.

Considering the submission made on behalf of the petitioner that the petitioner has been implicated for the sole reason of being the owner of the truck, this application is allowed.

Let the petitioner above named in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate First Class, East Champaran, Motihari in Kesariya P.S. Case No. 309 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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