

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32593 of 2018

Arising Out of PS.Case No. -15 Year- 2018 Thana -HASPURA District- AURANGABAD

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1. Abdul Wahid S/o Nasim, R/o House No. 105, Vill.- Uldhan Kharkhauda,
P.S.- Uldhan, District- Meetut, State- U.P., owner Cum Driver of truck No.
UK03/CA-0685.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Sri Madhuranand Jha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-06-2018 The petitioner is apprehending his arrest in connection with Haspura P.S. Case No. 15/18, registered for offences punishable under Sections 379, 411/34 of the Indian Penal Code and Section 11 (1) (A)(E) of Prevention of Cruelty to Animal Act, 2016.

Prosecution case is that the truck of the petitioner loaded with 74 buffalo calves and one female calf was intercepted, out of which, five buffalo calves died due to suffocation and plague of one calf was found fractured and two calves were ill.

It has been submitted on behalf of the petitioner that the said truck was intercepted on 07.02.2018 and the enquiry was made on next date and due to heat, some of the calves died. It has also been submitted that those buffalo calves were purchased by



the co-accused in Mangara Animal Fair and further petitioner happens to be the owner and driver of the said truck.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of offence and also that petitioner has no criminal antecedent and only general and omnibus allegation has been levelled against him, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Daud Nagar, Aurangabad, in connection with Haspura P.S. Case No. 15/18, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, it is further subject to the condition that:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner shall cooperate in the investigation and make himself available as



and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds

(Vinod Kumar Sinha, J)

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