

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17100 of 2018

Arising Out of PS.Case No. -175 Year- 2017 Thana -SISWAN District- SIWAN

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Munna Khan, S/o Late Aziz Khan, Resident of Village- Gayashpur, P.S.
Siswan, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Kant

For the Opposite Party/s : Smt Indu Kumari Srivastava

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 06-04-2018 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Siswan P.S. Case No. 175 of 2017 for the offences punishable under sections 414, 429, 353 and 307 of the I.P.C and section 11 (1) (D) of the Animal Cruelty Act.

Allegedly, on a tip off the informant intercepted a truck and arrested six persons, namely, Md. Aashif, Sabej, Md. Mashook, Binod Kumar Prajapati, Sidique Sheikh and Binod Mal and 16 oxen were found loaded on the truck. The said persons disclosed the name of the petitioner and others.

Submission is of false implication and that nothing has



been recovered from possession of the petitioner, on the basis of the alleged disclosure made by the co-accused before police the petitioner has been implicated, similarly situated co-accused Ish Mohammad @ Ish Mohammad Khan and Sabruddin Khan @ Budha Khan have been allowed pre-arrest bail vide Cr. Misc. Nos. 61448 of 2017 and 10613 of 2018 by another co-ordinate Benches of this Court and as such the petitioner also deserves sympathetic consideration.

The learned A.P.P. fairly submits that the case of the petitioner is similar to the co-accused who have been allowed pre-arrest bail.

In the facts and circumstances stated above, the petitioner, in case of his arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, shall 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 A.C.J.M 1st, Siwan in connection with the aforementioned case, subject to the condition as laid down under section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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