

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36046 of 2018

Arising Out of PS.Case No. -22 Year- 2018 Thana -DURGAWATI District- BHABHUA
(KAIMUR)

=====

Gokul Kumar son of Khicharu Prasad, resident of village- Kathuri, P.S.-
Allinagar, District- Chandauli, U.P.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH**

ORAL ORDER

2 03-07-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Durgawati P.S. Case No.22 of 2018 registered under Section 414
read with 34 of the Indian Penal Code, Section 11(a)(d)(e)(f) of
the Prevention of Cruelty to Animals Act and Section 4-B(2) of
the Bihar Preservation of Improvement of Animals Act.

It is submitted that there is nothing in the FIR on the
basis of which it can be said that the petitioner was in any way
assisting in concealment of stolen property and, thus, the
ingredients of the offence punishable under Section 414 of the
Indian Penal Code are not attracted. So far as other Sections of the



aforesaid Act are concerned they all are bailable in nature.

Learned counsel for the State has opposed the prayer for grant of pre-arrest bail to the petitioner. However, he conceded that there is no material on the basis of which it can be said that the cattle being carried by the petitioner in the van were stolen property.

In view of the submissions made above, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to 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 learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Durgawati P.S. Case No. 22 of 2018 corresponding to G.R. No.177 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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