

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10613 of 2018

Arising Out of P.S.Case No. -175 Year- 2017 Thana -SIWAN District- SIWAN

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SABRUDDIN KHAN @ BUDHA KHAN, S/o Hashamuddin Khan,
Resident of Village- Gayashpur, P.S. Siwan, District- Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Chandra Kant, Advocate
For the Opposite Party : Mr. Arun Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 27-02-2018

Heard.

The petitioner apprehends arrest in connection with
Siswan P.S.Case No.175 of 2017 registered for an offence under
Sections 414, 429,353 and 307 of the IPC and Sections 11(1)(D)
of the Animal Cruelty Act.

On secret information of smuggling of animals, the
informant intercepted the truck and arrested six persons, namely,
Md. Asif, Sawez Quraishi, Md. Masook, Vinod Kumar Prajapati,
Siddik Sheikh and Vinod Mal. The said persons in interrogation
disclosed the name of the petitioner and others.

It is submitted that there is no recovery from the
possession of the petitioner and he has been roped maliciously in
the present case. Though the petitioner is accused in two cases, but
in all the cases, he is on bail. The similarly situated co-accused has



been granted anticipatory bail by one of the coordinate Bench of this Court in Cr.Misc.No.61448 of 2017.

The learned APP opposed the submissions.

Considering the fact that the petitioner was not apprehended from the spot, let the above named petitioner be released on anticipatory bail, in the event of arrest of surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of ACJM-I, Siwan in connection with Siswan P.S.Case No.175 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

- (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 will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

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