

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10695 of 2020

Arising Out of PS. Case No.-358 Year-2019 Thana- SHERGHATI District- Gaya

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MUKESH SINGH @ MUKESH KUMAR Son of Jagdish Singh Resident of
Village - Lingri (Nigri), Tola Khaira, P.S.- Dobhi, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sudhanshu Shekhar

For the Opposite Party/s : Mr. Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 01-07-2020 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor representing the State, through

Video Conferencing.

This application, for grant of anticipatory bail, arises
out of Sherghati (Dobhi) Police Station Case No. 358 of 2019,
disclosing offences under Sections 414/34 of the Indian Penal
Code and Section 11 (D) of the Animal Cruelty Act.

The allegation against the petitioner, as per the First
Information Report lodged on the basis of the written report of
one Anjali Verma, who claims to be the member of Dhyan
Foundation, is that on 02.08.2019, while she was going to Dobhi
from Gaya, she saw that beside Gautam Line Hotel, a truck was
parked, from which some cows and calves were being unloaded.
It has further been alleged that the informant informed the



Dobhi Police and on seeing the police party, two persons succeeded in fleeing away and one person, Suman Pal, was apprehended, who disclosed that he had purchased the animals from Chapra Animal Fair and the same were being transported to Kolkata for selling them on high prices.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case merely on the basis of the fact that the animals were being unloaded upon the land of the petitioner, which is situated beside Gautam Line Hotel. He further submits that the petitioner is a Government Teacher and is posted in Basic School, Shivratiapur, and the land, on which co-accused was unloading the animals beside the Gautam Line Hotel, is situated at National Highway No. 83 and that the same is an open space without any boundary wall, which is accessible to all and sundry. He further submits that from perusal of the First Information Report, it is evident that co-accused Suman Pal was transporting the animals to Kolkata after purchasing it from Chapra.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is a Government Teacher and the place where the animals were being unloaded was an open space and is



accessible to all and sundry, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks from today, 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 Additional Chief Judicial Magistrate, Sherghati, Gaya, in connection with Sherghati (Dobhi) Police Station Case No. 358 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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