

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36693 of 2020

Arising Out of PS. Case No.-1063 Year-2019 Thana- BIHTA District- Patna

Sibtey Ali son of Md. Maksood ai @ Md. Maksood resident of village-
Taharpur Doyam, Police Station- Maunather, Tehsil- Bilari, District-
Muradabad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar

For the Opposite Party/s : Mr. Binod Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 25-06-2021 As prayed for, let the learned counsel appearing for
the petitioner remove the defect(s), as pointed out by the office
vide its notes dated 18.12.2020, within four weeks of starting of
Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in connection
with Bihta P.S. Case no. 1063 of 2019, registered under Section
414/34 of the Indian Penal Code, Section 11(a)(d)(e)(i)(K) of
Prevention of Animal Cruelty Act, 1950 and Section 47(a), 48,
52 and 54(a) of the Bihar Animal Transport Rules, 1978.

The accusation is that in course of patrolling duty,
the informant and other Police personnel received information
about carrying of cattle holding their legs and horns loading on



a truck container bearing registration No. UP21CN-4115 from Neura side. Thereafter, informant and other Police personnel proceeded to that direction and when they reached at Bihta Chowk then said truck was stopped and in presence of witnesses, the said truck was checked. In course of checking, 16 she-buffaloes were found in the container of truck, whose legs and horns were found tied. The driver, who was driving the truck, disclosed his name Md. Jubed.

Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. In course of investigation, the name of petitioner surfaced as owner of the truck-container bearing registration No. UP21CN-4115. Further submission is that, in fact, the truck-container was being driven by the driver named in the F.I.R., on hire, and the petitioner has no knowledge about carrying of she-buffaloes concealing in the container truck. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four 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 learned Addl. Chief Judicial



Magistrate-I, Danapur, Patna in connection with Bihta P.S. Case
No. 1063 of 2019, subject to the condition as laid down under
Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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