

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4021 of 2022

Arising Out of PS. Case No.-136 Year-2021 Thana- AMAS District- Gaya

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AMIR KHAN Son of Raja Khan @ Sarvar Ali Khan @ Md. Sarwar Ali
Resident of Village - Hamzapur, P.S.- Amas, Dist.- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailesh Kumar

For the Opposite Party/s : Mr.Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

2 17-08-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner as well as

Mr. Shailendra Kumar, the learned Additional Public Prosecutor

for the State.

The petitioner apprehends his arrest in connection with

Amas P.S. Case No. 136/2021 registered for offence punishable

under sections 420, 428, 429, 414, 120B/34 of the Indian Penal

Code, sections 3, 4, 11 (a) (d) (h) (k) of Prevention of Cruelty

to Animals Act, 1960 and section 4 of the Bihar Preservation

And Improvement of Animals Act, 1955. Thereafter, requisition

for addition of sections 413, 153(A) and 295 of the Indian Penal



Code was allowed on 18.06.2021.

As per allegation, the police received confidential information that two groups of different community are fighting for keeping cattle. The informant went to the place of occurrence and seized the container loaded with 46 cattle. The local people disclosed that the named accused persons, including the petitioner, are involved in illegal smuggling of cattle to West Bengal.

The learned counsel for the petitioner has submitted that the petitioner is neither owner nor driver of the container wherefrom the cattle were seized. He has also submitted that three other accused persons have been granted anticipatory bail by the coordinate Bench of this Court. He has submitted further that in respect of paragraph 3 of the bail petition, he has filed supplementary affidavit, mentioning that there is one case pending against the petitioner, but that is not of the similar nature of the present case.

Considering the above-mentioned facts and circumstances, the petitioner above-named, in the event of his arrest or surrender, within four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of



learned Judicial Magistrate 1st Class, Sherghati, Gaya in connection with Amas P.S. Case No. 136/2021, subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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