

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3442 of 2022

Arising Out of PS. Case No.-42 Year-2021 Thana- PURUSHOTTAMPUR District- West
Champaran

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MD. YAHYA KHAN @ AHIYA KHAN @ YAHYA KHAN Son of
Kemudin Khan Resident of Village- Sabaithwa, Maswa, P.S.- Kangli, District-
West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Kumar Gupta, Advocate

For the Opposite Party/s : Mr.Ram Naresh Ray, Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-07-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in registered for the
offences punishable under Section 414 of the Indian Penal
Code and under section 11(1)(a)(c)(d)(e)(f)(k) of the Prevention
of Cruelty to Animals Act.

In course of vehicle checking, some male buffalo and
calf were recovered from a vehicle and one Sheikh Munna was
arrested on the spot who disclosed that the cattle belonged to the
petitioner and the same was being taken to the slaughter house
in Nepal.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case as the
petitioner has land dispute with said co-accused. No



incriminating material has been recovered from the conscious possession of the petitioner and he is no way connected with the aforesaid recovery.

Learned counsel for the State opposes the prayer for bail submitting that the petitioner has got criminal antecedent of similar nature as per order of the Court below dated 24.7.2021.

Considering the criminal antecedent of the petitioner, his prayer for bail is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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