

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15212 of 2022

Arising Out of PS. Case No.-229 Year-2021 Thana- EKANGARSARAI District- Nalanda

MD MOSIN Son of Anwar Ali @ Anvar Resident of Village - Pindra
Sahabanpur, P.s.- Karari, Distt.- Kaushaumbi, State - Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Kumar Singh, Adv.

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-11-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is directed to remove
the defects within four weeks.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 279, 414, 428/34 of the IPC,
sections 44/48/50/52/54 of Transportation of Cattle Act, 1978
and 11(a)(b)(d)(e)(f) of the Prevention of Cruelty to Animals
Act, 1960.

Altogether 39 Buffalo and three calves have been seized
by the police from a Truck.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case. No such occurrence,



in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. Petitioner is only the driver of the vehicle but has no concern with the seized cattle. It is submitted that the cattle were bought from the weekly mela organized on every Monday in Atta Sarai Islampur (Nalanda), Government Cattle Haat. On 13.09.2021 and from the weekly mela organized on every Saturday in Parwalpur near Ben Road, Kisan Cattle Haat on 11.09.2021. Receipt has also been annexed in the bail application. Owner of the vehicle has already been granted anticipatory bail by order dated 08.08.2022 passed in Cr. Misc. No.15488 of 2022 by a co-ordinate Bench of this Court. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

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 six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor



Court in connection with Ekangarsarai P.S. Case
No.229/2021, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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