

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15697 of 2022

Arising Out of PS. Case No.-268 Year-2021 Thana- CHENARI District- Rohtas

MD. AHIYA Son of Musarraaf Ali Resident of Village - Shahabpur, Atrampur,
P.S.- Nawabganj, District - Prayagraj (U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Siddharth Harsh, Advocate

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 414 and 278 of the Indian Penal Code read with Sections 11(1) (a)(d)(e) (h) of the Prevention of Cruelty to Animal Act.

Allegation is of recovery of eleven bulls and two cows from a truck from NH-2 near Pandit Hotel Khurmabad.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted that the vehicle which has been seized is a commercial vehicle, it belongs to the petitioner and the same was booked by one Abu Saima and the said Abu saima had purchased the animals in



support whereof the petitioner relies on Annexure-2 to the anticipatory bail application i.e., the receipt showing purchase of the animals. Learned counsel further submits that no F.I.R. was instituted with regard to the theft of animals as such it cannot be construed that the petitioner in any manner was involved when he was not even present at the place of occurrence.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees 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 Chenari P.S. Case No. 268 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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