

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46256 of 2021

Arising Out of PS. Case No.-435 Year-2020 Thana- KOTWALI District- Patna

Diwakar Tiwari, S/O Goruji @ Shushil Kumar Tiwari R/O Village- Patner,
P.S. And District- Lakhisarai. Presently Residing At Sanya Society, P.S.-
Kotwali, District- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Opposite Party/s : Ms. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 18-04-2022 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered for the offences punishable under Section 377 of the Indian Penal Code and Section 11 of the Animal Cruelty Act.

The learned counsel for the petitioner submits that the petitioner is in custody since 05.11.2020, he is a person with clean antecedent and charge-sheet has been submitted in the case.

The learned counsel for the petitioner submits that the informant alleges that she received information from Priyanka Gupta that the petitioner is a guard of Saniyal Enclave Apartment on 01.11.2020 at about 12.30 A.M. established intercourse with a female pregnant dog and the occurrence was videographed.

The learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the present case. No human being would indulge in an act of committing intercourse with a female dog (bitch). The learned counsel further submits that the petitioner has been made a scapegoat out of a conspiracy and the alleged video is mocked. Though, the petitioner was not aware of any such video. It is further submitted that the truth will come out in trial.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody, he is a person with clean antecedent, charge-sheet has been submitted in the case and in the nature of allegation as alleged, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Kotwali P. S. Case No.435 of 2020.

The application stands allowed.

(Satyavrat Verma, J)

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