

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43382 of 2022

Arising Out of PS. Case No.-424 Year-2021 Thana- SHERGHATI District- Gaya

1. MD. DASTAGIR KHAN Son of Md. Hasim Kha House No.- 87 Near Alfa Medical, Shamsheer Nagar, Bishnupur, P.S.- Jharia, District - Dhanbad (Jharkhand)
2. Mukhtar Khan @ Mokhtar Son of Rasid Khan Resident of Village - Khaira, P.S.- Dumariya, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 279, 353, 427 and 34 of the Indian Penal Code read with Sections 11(i)(A) (h) of the Prevention of Cruelty to Animals Act and 47(A), 48 and 52K and $\frac{3}{4}$ of the Prevention of Damage to Public Recovery Act.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that a container and a truck were seized loaded with 30 animals each and one accused Gulam Sarvar was apprehended and other accused fled away.



Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that petitioners were not apprehended from the spot, petitioner no.1 is owner of truck and petitioner no.2 is driver of the truck and they were let off in order to get the documents relating to the animals which were purchased from Naubatpur Mela of Buxar District as would be evident from Annexure-2 to the anticipatory bail application.

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

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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. 10,000/- (Rupees Ten Thousand) each 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 Sherghati P.S. Case No. 424 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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