

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44074 of 2022

Arising Out of PS. Case No.-67 Year-2022 Thana- GURARU District- Gaya

MD. USMAN Son of Abdul Halim R/o Village - Budhpur, Ghatera, P.S.-
Guraru, Dist.- Gaya, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-11-2022 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

Learned counsel for the petitioner undertakes to
remove the defect (s), as pointed out by the office, within a
period of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 429, 414
& 120B of the Indian Penal Code, Sections 3, 4, 11 (a) (d) (h)
(k) of the Cruelty to Animal Act, 1960 and Section 4 of the
Bihar Animal Preservation Act, 1955.

The petitioner is the owner of the seized Tata 407
vehicle on which altogether 15 cattle barbarically loaded.

It is submitted by learned counsel for the
petitioner that no such occurrence as alleged ever took place.



He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The driver of the vehicle was apprehended by the police who disclosed the name of the petitioner as the owner of the vehicle. As a matter fact, the petitioner has given his vehicle to the driver to ply on rent, who without any knowledge to the petitioner loaded the cattle. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

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 Guraru P.S. Case No. 67 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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