

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64091 of 2021

Arising Out of PS. Case No.-136 Year-2021 Thana- AMAS District- Gaya

1. SYED GHAZNAFAR AKHTAR @ ADIL MIAN Son of Munne Mian @ Syed Muslim Akhtar Resident of Village - Hamzapur, P.S.- Amas, District - Gaya.
2. Yawar Iblagh @ Yawar Son of Saiyad Helal Ahmad @ Kalo Mian Resident of Village - Hamzapur, P.S.- Amas, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan
For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 05-04-2022 Heard Mr. Md. Javaed Jafar Khan, the learned Advocate for the petitioner and the learned APP for the State.

Mr. Khan seeks permission to withdraw this petition with respect to petitioner no. 1, who has been arrested during the pendency of this petition.

This application with respect to petitioner no. 1/ Syed Ghaznafar Akhtar @ Adil Mian is dismissed as having become infructuous.

The petitioner no. 2 seeks bail in anticipation of his arrest in connection with Amas P.S. Case No. 136/2021



instituted for the offences under Sections 420, 428, 429, 414, 120(B) and 34 of the Indian Penal Code, Section 3/4/11(a)(d)(h)(k) of Prevention of Cruelty to Animal Act, 1960 and Section 4 of the Bihar Preservation and Improvement of Animals Act, 1955.

The learned counsel for the petitioner no. 2 has submitted that the accusation against him is based only on secret information, the source of which has not been disclosed. It has further been submitted that the petitioner no. 2 has been made accused in this case because of local politics.

Under similar circumstances, one Md. Danish has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 23.02.2022 passed in Cr. Misc. No. 54581 of 2021. While granting bail to the aforesaid Md. Danish, the Co-ordinate Bench took note of the fact neither the cattle belonged to him nor the container and he was not even present at the site.

The same grounds are available to the petitioner no. 2 as well.



Considering the afore-noted facts, the petitioner no. 2/Yawar Iblagh @ Yawar is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate -1st Class, Sherghati (Gaya), in connection with Amas P.S. Case No. 136/2021, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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