

**CRM (A) 1340 of 2022**

In re: An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 16.03.2022 in connection with Tapan P.S. Case No. 435 of 2021 dated 12.11.2021 under Sections 379/411/424 of the Indian Penal Code read with Sections 11(1)(d)(e)(f) of the Prevention of Cruelty to Animals Act, 1960 and Sections 47(a)/51/52/56 of the Transport of Animals Rule, 1978.

-And-

In the matter of : **Mokammel Hossain @ Mukammil Hussain  
& Ors.**

**... ..Petitioners**

Mr. Aniruddha Bhattacharyya, Advocate

... .. For the Petitioners

Mr. Swapan Banerjee, Advocate

Ms. Purnima Ghosh, Advocate

... .. For the State

Petitioners seeks anticipatory bail on the ground of parity with three other co-accused who were granted anticipatory bail by the Coordinate Bench in CRM (A) 375 of 2022 by the order dated March 1, 2022.

Learned Advocate appearing for the State draws the attention of the Court to the statements recorded under Section 161 of the Code of Criminal Procedure of the eye witnesses which names the present petitioners as the persons who were involved in the offence of cattle trafficking.

Although, the petitioners claim parity with the other three co-accused who were granted anticipatory bail by the Coordinate Bench. We find from the materials in the case diary that all the petitioners herein are named by the eye witnesses recording their statements under Section 161 of the Code of Criminal Procedure to be involved in the offence of cattle trafficking.

Considering such involvement of the petitioners in the offence alleged and considering the gravity of the offence, we are unable to grant anticipatory bail to the petitioners.

CRM (A) 1340 of 2022 is rejected.

**(Debangsu Basak, J.)**

**(Bibhas Ranjan De, J.)**