

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7876 of 2023

Arising Out of PS. Case No.-537 Year-2022 Thana- MAJHAULIA District- West Champaran

MISTAR KHAN @ MISTAR KHONN Son of Hafij Khonn @ Hafij Khan
Resident of Village- Piparpati, Shivrajpur, P.S.- Yogapatti, District- West
Champaran. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey
For the Opposite Party/s : Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-04-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 279, 429, 412, 413 & 414 of the Indian Penal Code and under Section 11 (D) (E) (F) of the Prevention of Cruelty to Animal Act.

A vehicle loaded with cattle for the purpose of animal smuggling was collided with diversion on the road and fell into the pit and some cattle have died. Petitioner is the owner of the said vehicle.

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 merely on suspicion at the instance of inimical persons. Petitioner was not even alleged to be there at the place of occurrence nor he was seen



driving the vehicle in question or carrying the cattle. Petitioner's vehicle is a commercial vehicle. Petitioner is merely the owner of the vehicle and given his vehicle to his driver to ply on rent, which was hired by co-accused Ajay Thakur. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. 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 Majhauriya P.S. Case No. 537 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

The learned court below is directed to accept the bail bond of the petitioner after satisfying that the vehicle in question is registered as a commercial vehicle.

(Anjani Kumar Sharan, J)

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