

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16148 of 2023

Arising Out of PS. Case No.-692 Year-2022 Thana- GARKHA District- Saran

Md. Samim Son of Abdul Hafiz, R/o Village- Morwa, Gopal Tola, P.S.- Musri
Gharari, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajeev Ranjan No.II, Adv.
	:	Mrs. Priyanka Kumari, Adv.
	:	Ms. Kumari Rupa, Adv.
For the Opposite Party/s	:	Mr. Uma Shankar Prasad Singh, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 10-05-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Garkha P.S. Case No. 692 of 2022 dated 04.11.2022, lodged
under Sections 413, 414, 429, 34 of the Indian Penal Code read
with Section 11(i) of the Prevention of Cruelty to Animal Act,
1960 and Section 4 of the Bihar Preservation and Improvement
of Animal Act, 1955.

As per prosecution case, the allegation is there in the
F.I.R. that the petitioner was caught by the villagers in a truck
which was full of flesh of animals due to which the offence has



been lodged against him under Sections 413, 414, 429, 34 of the Indian Penal Code read with Section 11(i) of the Prevention of Cruelty to Animal Act, 1960 and Section 4 of the Bihar Preservation and Improvement of Animal Act, 1955.

Learned counsel for the petitioner submits that all the sections in which case has been filed are bailable in nature. He further submits that petitioner is in custody since 05.11.2022 having clean antecedent.

Learned counsel for the State opposes the prayer for bail and submits that it is true that sections under which case has been lodged are bailable in nature but under Section 429 of I.P.C. the punishment has been provided for five years.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned J.M.-1st Class, Saran at Chapra in connection with Garkha P.S. Case No. 692 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other condition that the petitioner shall not involve in such criminal activity in future and if he is found involved in such type of activities the bail bond granted to the petitioner shall be



cancelled.

With this observation, the bail application stands
allowed.

(Dr. Anshuman, J.)

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