

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18082 of 2023

Arising Out of PS. Case No.-138 Year-2022 Thana- SHIVSAGAR District- Rohtas

Md Salauddin Khan @ Bholu Khan Son Of Jialuddin Resident Of Village -
Alwan, P.S. - Amas, Distt. - Gaya.

... .. Petitioner

Versus

The State Of Bihar Patna

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 279, 295(A), 379, 414, 420, 429 and 120(B)/34 of the Indian Penal Code, Section 4, 4(B) of the Bihar Animal Preservation and Improvement Act, 1955 and Section 11 of Animal Cruelty Act, 1960 pending in the learned court below.

As per the prosecution case, all the accused persons were involved in the smuggling of the Bull, Ox and Cow for the purpose of Slaughter house and said animals were kept in the container of a truck in which some animals were found dead.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that petitioner is only the owner of the



said truck. He submits that there is no specific overt act against the petitioner. He further submits that petitioner has no concern with the cattle found on the truck and it was Tabis Roza who purchased the cattle from one Aurenjeb Quereshi in Pashu Mela Sirasi and driver loaded the same, and the petitioner was not aware that cattle had been loaded in this truck and he never deals with the business of slaughtering. He submits that driver of the vehicle fled away from the place of the occurrence and owner of the said cattle was apprehended on the spot. He further submits that petitioner has got one criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Shivsagar P.S. Case No.138/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

However, if, petitioner involves himself in same



nature of offence in future, the State would be at liberty to file a
petition for cancellation of the bail bond of the petitioner.

(Anjani Kumar Sharan, J)

ajay/-

U		T	
---	--	---	--

