

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 66231 of 2023

Arising Out of PS. Case No.-52 Year-2023 Thana- MEDNI CHAUKI District- Lakhisarai

Mohammad Zulfakar Alam Son Of Md. Murtuza Village Puraini, Mohammad Chak, Ps- Puraini, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 379, 414, 420 of the Indian Penal Code and Section 11(i)(a)(d)(e)(h)(k) of P.C. Act and Section 47, 48, 50, 52, 54, 56(C) of the Transport Cattle Rules, 1978.

3. As per the prosecution case, allegation against the petitioner is that he along with other co-accused persons was engaged in sale and purchase of cattle and the same were being transported through Pickup van.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the petitioner is the owner of the said vehicle and also submits that the petitioner is not named in the F.I.R., but during the course of



investigation he has been made accused in the present case. He further submits that a permit in respect of goods permit of the said vehicle has also been issued by Secretary, State/Regional Transport Authority, Bhagalpur RTA, Bihar on 09.05.2022, a copy of the said permit of the vehicle is enclosed as Annexure-2 to this application. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the fact that there is no specific overt act against the petitioner, 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 Mednichowki P.S. Case No. 52 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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