

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70814 of 2023

Arising Out of PS. Case No.-140 Year-2023 Thana- NAYA RAM NAGAR District- Munger

Md.Qayamuddin Son Of Ali Mohammad Resident Of Village- Khaira
Gadhiya, Ps- Araria, Distt- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjiv Kumar Singh

For the Opposite Party/s : Mr. Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-11-2023 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 Sections 379, 414, 34 of the Indian Penal Code, Section 11(a)(b)(c), 49(a)(b), 56(a)(c)(f) of the Bihar Cattle Protection Amendment Act, 1982 (T.C. Act) and Section 4(a)(b)/4(ii) of Bihar Cattle Protection Amendment Act, 1955.

3. As per the prosecution case, on information, the informant along with some police personnel reached on the spot and saw many buffaloes loaded on the truck. One person was sitting on the truck and the driver of the truck fled away. He disclosed his name Umesh Ravidas. On interrogation, he told the police that they were transporting the buffaloes from



Barbigha to Khagaria. On search, total 35 buffaloes were found loaded on the truck. He did not produce any paper regarding the buffaloes.

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 not named in the F.I.R., but during the course of investigation, the name of the petitioner is being transpired in this case as the petitioner is the owner of the said truck and the said vehicle is a commercial vehicle. He further submits that the learned Court below released the said buffaloes in favour of Md. Shaukat. He also submits that there is no compliance of Section 100(8) of the Cr.P.C. 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 Naya-Ram-Nagar P.S. Case No. 140 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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