

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65267 of 2022

Arising Out of PS. Case No.-38 Year-2022 Thana- KASMA District- Aurangabad

ALAKH KUMAR SINGH S/O BABAN SINGH Resident of village- Nuwan,
Post- Kabilaspur, Nuawan, District- Kaimur at Bhabhua.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Nikhil Singh

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 20-06-2023 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, 295A, 378, 414, 417, 420, 428, 429, 465 and 129(B) of the Indian Penal Code, Section 11 of the Prevention of Cruelty to Animal and Section 3, 4, 4(B) of the Bihar Preservation and Improvement Act pending in the learned court below.

As per the prosecution case, petitioner is said to have involved in the smuggling and theft of cattle.

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 neither the owner of the truck-container from which the recovery has been made nor



associated with the persons from whose possession recovery has been made. He submits that there is no specific overt act against the petitioner. He further submits that there is no evidence came out against the petitioner in the case diary. He submits that petitioner has got no 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 Kasma P.S. Case No.38/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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