

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72229 of 2023

Arising Out of PS. Case No.-502 Year-2023 Thana- BARACHATTI District- Gaya

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BRIJESH YADAV Son of Bhim Singh Yadav RESIDENT OF VILLAGE
BHARVALIYA PS DILDARGANJ DISTRICT GHAZIPUR UTTAR
PRADESH

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dineshwar Pandey, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 28-11-2023 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any, within

a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in a case in

connection with Barachatti P.S. Case No. 502 of 2023 dated

26.05.2023 registered for the offence/s punishable u/ss 414 and

429 of the Indian Penal Code, Sections 3/ 4 / 4 (b) of the Bihar

Preservation and Improvement of Animals Act and section 11 of

the Prevention of Cruelty of Animal Act.

4. As per the prosecution case, the petitioner is alleged

to have involved in illegal trading of animals as large numbers



of animals in pity condition were recovered from his vehicles.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner is the owner of the said vehicle which was not being driven by the petitioner at the time of alleged occurrence. Learned counsel has further submitted that one Sri Madaura Baba Transport, Narbatpur, Chausa booked the said vehicle of the petitioner for carrying the cattle and the transporter had already handed over three receipts of Chausa cattle fare to the driver of the said vehicle. Nothing has been recovered from the conscious possession of the petitioner. Similarly situated co-accused have already been granted anticipatory bail by the co-ordinate bench *vide* order dated 09.11.2023 passed in Cr. Misc. No. 73884 of 2023. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to



the satisfaction of the learned court concerned, Sherghati in connection with Barachatti P.S. Case No. 502 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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