

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70665 of 2022

Arising Out of PS. Case No.-136 Year-2021 Thana- AMAS District- Gaya

1. AMIR RAZA @ MD. AMIR RAZA S/O ANWAR HUSSAIN Resident of village- Sirajpur, P.S.- Nabinagar, District- Aurangabad.
2. ARSHAD ALAM S/O SAFFIULLAH Resident of village- Kamal Shaheed, P.S.- Sherghati, District- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-05-2023 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under sections 420, 428, 429, 414, 120 (B)/34, 413, 153(A), 295(A) of the Indian Penal Code and 3/4/11(a)(d)(h)(k) prevention of cruelty to animal Act and section 4 Preservation & improvement of animals Rule.

As per the prosecution case, the informant on 08.06.2021 received a confidential information and on the basis of that a raid was conducted by the informant at Village Hamjapur and in which he found two abandoned container of cattle at G.T. Road. The informant seized altogether 46 cattle



kept in two containers. The local people disclosed that accused persons named Laddan Khan, Talin Yawar, Danish, Amir Khan, Bechan Mian, Illiyash, Adil Mian, Imran and eight to ten unknown accused persons are involved in illegal smuggling of cattle to West Bengal.

Learned counsel for the petitioners submits that petitioners are not named in the F.I.R and their name transpired during course of investigation. Petitioner no.1 Amir Raza has purchased the seized vehicle no. NL01Q from one Munna Khan on 04.05.2021, since then the petitioner no.1 is running the said vehicle. Petitioner no.2 Arshad Alam is the only driver of the said vehicle and petitioners are simple transporter and have no concern with seized animals. Similarly situated co-accused has already been allowed pre-arrest bail by a Co-ordinate Bench of this Court vide Paragraph 10 of the bail petition. Petitioners claim clean antecedent.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the Learned Judicial Magistrate 1st Class, Sherghati at Gaya in



connection with Amas P.S. Case No. 136 of 2021, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Kaushik/-

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

