

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11354 of 2024

Arising Out of PS. Case No.-158 Year-2023 Thana- LAURIA District- West Champaran

SHAMIM ALAM S/O SHEIKH SUNAD R/O VILLAGE- JHUMKA, P.S-
SIKTA, DISTT.- WEST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra
For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 12-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Lauriya P.S. Case No. 158 of 2023 registered for the offences punishable under Section 414 of the Indian Penal Code and Sections 11(1) (a) (d) (F) (H) of the Animal Cruelty Act.

3. As per prosecution case, seven cattle were recovered from the Pick-up van in question and F.I.R. was lodged against the unknown driver and owner of the said van.

4. Learned counsel for the petitioner submits that petitioner is not named in F.I.R. The name of the petitioner has been transpired as a driver of the Pick-up van in question from which seven cattle have been recovered. He further submits that



petitioner's wife is the owner of the said van in question, as mentioned in impugned order. Petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears criminal antecedent of two cases in which he is on bail.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner by submitting that during the course of investigation it is found that the said Pick-up van in question has been driven by the petitioner from which seven cattle have been recovered and no document has been produced regarding the ownership of the animals, as mentioned in impugned order and hence, the petitioner does not deserves bail.

6. Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner as well as materials available on record, I am not inclined to grant privilege of anticipatory bail to petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is, hereby, rejected.

(Alok Kumar Pandey, J)

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