

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24147 of 2024

Arising Out of PS. Case No.-77 Year-2022 Thana- GAYA MUFASIL District- Gaya

Md. Sartaz Khan SON OF NEYAZ KHAN RESIDENT OF VILLAGE-
BASANT SIMLA, PS- SALAIYA, DIST- AURANGABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rabia Gulnaz, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 24-04-2024 Heard Mrs. Rabia Gulnaz, learned counsel for the
petitioner and the State.

2. The petitioner is apprehending his arrest in connection with Mufassil P.S. Case No. 77 of 2022 for the offence under Sections 279, 295(A), 414, 379, 429, 120(B) of the I.P.C. and Section 11(a) Animal Cruelty Act 1960 and Protection of Animal Act, 1955 lodged on 12.02.2022 by the informant, R. Lata Devi.

3. As per the prosecution story, the informant alleged that she received confidential information of a truck loaded with animals going to West Bengal through Gaya District. On information a truck was intercepted and thirty four cattle were recovered. Accordingly the FIR.

4. Learned counsel for the petitioner submits that the



driver and the cleaner were transporting the cattle, he being the owner had no knowledge about the said occurrence only because the truck is registered in his name, he has been made accused and do not have any criminal antecedent.

5. Learned APP opposes the prayer stating that the truck that was carrying the cattle is registered in his name.

6. Taking into account the aforesaid submissions put forward by the learned counsel for the petitioner as also that he is the owner and do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Gaya in connection with Mufassil P.S. Case No. 77 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

8. With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Adnan/-

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