

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32973 of 2024

Arising Out of PS. Case No.-366 Year-2023 Thana- VIJAYEPUR District- Gopalganj

Mahammad Noor Salam @ Md Noor Salam Son of Sakaradin Miyan @
Sakruddin Miya Resident of Village-Pandey Parsa, P.S.- Phulwariya, District-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam, Adv.

For the Opposite Party/s : Mr.Nand Kumar, APP

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

ORAL ORDER

2 23-05-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Vijaipur P.S. Case No. 366 of 2023 dated 12.12.2023 registered for the offences punishable u/ss 414 read with section 34 of the Indian Penal Code and u/ss 11(1)(Kha), 11(1)(Gha), 11(1)(Jha) and 11(1)(Dha) of the Animal Cruelty Act.

3. As per the prosecution case, on secret information, one pick-up van loaded with 3 to 4 cows was standing near the house of one Gudluck Shekh at village, Rampur. The informant along with other police personnel and local Chowkidar reached the place of occurrence. On seeing police, some people were



started to flee away. Local Chowkidar identified one of them as Gudluck Shekh. On search, three cows tied with rope were recovered from the said pick-up van. It is further alleged that the accused persons are indulged in smuggling of the cattle.

4. 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 but the said vehicle was hired by the co-accused, Gudluck Shekh for transportation of food grain and other article but without giving any information or knowledge to the petitioner, he was carrying the cows in the seized vehicle. Nothing has been recovered from the possession of the petitioner. It is further submitted that the petitioner was not present in the vehicle or at the place of occurrence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

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

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, 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, Gopalganj in connection with Vijaipur P.S. Case No. 366 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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