

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35480 of 2024

Arising Out of PS. Case No.-66 Year-2022 Thana- KHUTAUNA District- Madhubani

MOHAMAD ISARAFUL @ ISRAFIL @ IRSAFUL @ ISARAFUL SON OF
HASMUL PANJABI R/O - VILL- BELDARI , P.S- LAUKAHA , DIST-
MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Arvind Kumar, Advocate
For the State	:	Mr. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 23-09-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 11(a)(d)(c) of the Prevention of Cruelty of Animals Act.

3. As per prosecution case, name of this petitioner has transpired in this case on the basis of confessional statement of co-accused persons who were apprehended at the spot while smuggling Oxen.

4. It is submitted by learned counsel appearing on behalf of the petitioner that no incriminating article has been recovered from conscious possession of this petitioner and he has falsely been implicated in this case merely on the basis of confessional statement of co-accused persons who were apprehended at the spot. Except confessional statement, there is no material on record to show the complicity of this petitioner in



the alleged offence. Petitioner has got no concern with the seized vehicle or animals.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of accusation and the fact that no incriminating article has been recovered from conscious possession of this petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Ist Jhanjharpur, Madhubani, in connection with Khutauna P.S. Case No. 66 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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