

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58600 of 2023

Arising Out of PS. Case No.-138 Year-2022 Thana- SHIVSAGAR District- Rohtas

Saif Khan Son Of Afroj Khan Resident Of Village- Khandail, Ps- Sherghati,
Dist -GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashikant

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 279, 295(A), 379, 414, 420, 429, 120(B) and 34 of the Indian Penal Code and Section 4, 4(B) of Bihar Animal Preservation and Improvement Act and Section 11 of Animal Cruelty Act, 1960.

3. As per FIR, all the accused persons including the petitioner were involved in smuggling of the bull, ox and cow for the purpose of slaughter house and said animals were kept in the container of a truck in which some animals were found dead.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that the petitioner is the owner-cum-driver of the truck bearing Registration No. NL-01AB-1693. He submits



that similarly situated co-accused has already been granted bail by this Court vide order dated 06.07.2023 passed in Cr. Misc. No. 18082 of 2023. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Shivsagar P.S. Case No. 138 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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