

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66670 of 2024

Arising Out of PS. Case No.-67 Year-2024 Thana- INARWA District- West Champaran

Mahadev Yadav Son of Late Thakur Yadav R/o Vill.- Bajara Bairiya, Ward
No. 12, P.S.- Sahodara, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Inarwa P.S. Case No. 67 of 2024, registered on 25.06.2024 for the alleged offences under Sections 414/34 of the Indian Penal Code and Sections 11(1)(a), 11(1)(d), 11(1)(e), 11(1)(f) of the Prevention of Cruelty to Animal Act.

3. As per prosecution case, police received information about smuggling of cattle and a raid was conducted but the miscreants smuggling cattle fled away and total 15 bovines were intercepted. The name of the petitioner and co-accused Yusuf Ansari surfaced for being involved in the cattle smuggling apart from five other persons.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case merely on suspicion. The petitioner was not apprehended from the spot and nothing incriminating has been recovered from the person or possession of the petitioner. Though the petitioner is having antecedent of seven cases, he is on bail in all cases except one. Learned counsel further submits that the petitioner is in custody since 15.07.2024.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner is habitual offender and is accused in altogether seven cases in which six are of similar nature.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner was not apprehended from the spot and no recovery has been shown from him, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Bettiah, West Champaran/concerned Court in connection with Inarwa P.S. Case No. 67 of 2024, subject to the conditions mentioned in Section 437(3) of the Code of



Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.
- (iv) If the petitioner is found involved in similar nature of offence then his bail bond will be cancelled by the court concerned.

(Arun Kumar Jha, J)

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