

Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Jurisdiction

04.10.2024
27
S.D.
Allowed

C.R.M.(A) 750 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal procedure, 1973 in connection with **Kuchlibari** Police Station Case No. **132** of **2023** dated **22.09.2023** under Sections 379/411 of the Indian Penal Code R/W Section 11(1)(d) of the Prevention of Cruelty to Animals Act, 1960.

And

In Re : Motahar Mohd @ Md. Matahar Md & Anr.

..... petitioners

Mr. Biswarup Roy

Ms. Supriya Debnath

....for the petitioners

Mr. Saikat Chatterjee

Mr. Dhiman Sil

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary. He submits that two Bengali origin oxen were recovered from a Santro vehicle. Subsequently, those animals expired.

Considering the nature of the incident and the involvement of the petitioners therein, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and

on further condition that the petitioners will meet with the Investigating Officer once a fortnight till the conclusion of the investigation. The petitioners shall appear on every date before the Jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)