

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20487 of 2025

Arising Out of PS. Case No.-1918 Year-2024 Thana- PHULWARISHARIF District- Patna

Mohammad Sharaj @ Md. Sharaj Son of Md. Muim Bakho Resident of
Deodaha @ Deodha, P.S. - Dhanarua, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sushil Kumar Jha, Advocate
For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 30-04-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Phulwari Sharif P.S. Case No. 1918 of 2024 for the offence under sections 303(2), 317 (2), 317(5) and 3(5) of the B.N.S. and Sections 3, 5 and 11 of the Prevention of cruelty to Animals Act, 1960 lodged on 16.12.2024 by the informant, Naimuddin Ansari.

3. As per the prosecution story, the informant alleged that on secret information, the volunteers of Gyan Foundation intercepted a pick-up van and there is recovery/seizure of 11 cows and two bulls. This led to the FIR.

4. Learned counsel for the petitioner submits that the movement was there on the basis of valid documents, only on suspicion, intercepted which led to the FIR, he has no criminal



antecedent and shall diligently appear in trial. Learned counsel for the petitioner further submits that the purchasing receipt is part of the petition as Annexure-2 series.

5. Learned APP opposes the prayer submitting that on information, interception was made followed by the recovery.

6. Taking into account the submissions of the parties as also that the purchase receipt is there, FIR has been lodged, an undertaking has been given that he will be diligently appearing in trial, do not have criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM-IV, Patna/successor Court in connection with Phulwari Sharif P.S. Case No. 1918 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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