

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26510 of 2025

Arising Out of PS. Case No.-1179 Year-2024 Thana- BIHTA District- Patna

Raja Ahmad @ Raza Ahmad S/o Md. Iliyas R/o Vill.- Simari, P.S - Bihta,
District - Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anil Kumar Choudhary

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Bihta P.S. Case No. 1179 of 2024 registered for the offences punishable under Sections 317(2), 303(2), 3(5) of B.N.S. and Section 11(1)(a), 11(1)(d), 11(1)(e), 11(1)(i), 11(1)(k) of Prevention of Cruelty to Animal Act, Sections 47(a), 48, 54(1) of the Animal Transport Rule, Section 4A of Punjab Cow Slaughter Prohibition Act.

3. As per prosecution case, on 25.12.2024 the informant, who is a volunteer of Cow Gyan Foundation, New Delhi, got information that animals will be carried through vehicle no. BR01GH-9902 on 26.12.2024. On the said information, informant along with police officials reached at the



spot and intercepted the said vehicle. It was found that 8 cows were loaded inside the vehicle in cruel manner. Three persons were found inside the vehicle. On demand no document regarding ownership of the vehicle as well as animal was produced. It is further alleged that seized cattle were sent to Mata Bandevi Veterinary Hospital run by Cow Gyan Foundation and Gokul Dham Jhajjar for proper treatment and fodder on indemnity bond. The FIR has been registered against the named co-accused persons.

4. Learned counsel for the petitioner submits that petitioner is not named in the FIR and his name has been surfaced in this case during course of investigation in para 33 of the case diary as owner of the vehicle in question. He further submits that petitioner is quite innocent and has committed no offence as alleged in the FIR. He further submits that one Irshad Alam brought eight cows from Mangara Pashu Mela which is evident from Annexure-P/3 of the bail petition and the said animals were loaded on the vehicle in question without knowledge of the petitioner. Petitioner being owner of the commercial vehicle has been falsely implicated in the present case. Petitioner has nothing to do with the alleged occurrence. No animal has been recovered from possession of the petitioner.



Petitioner was not found on the place of occurrence. Petitioner is not in any way connected with the alleged occurrence. Petitioner bears criminal antecedent of two cases in which he is on bail.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Danapur in connection with Bihta P.S. Case No. 1179 of 2024, subject to the conditions as laid down under Section 482(2) of BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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