

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52460 of 2025

Arising Out of PS. Case No.-100 Year-2025 Thana- PRANPUR District- Katihar

Tajmul @ Tajmul Haque @ Md. Tajmmul @ Md. Tajmul S/O Ainul @ Md.
Ainul Haque Resident of Village- Mohanpur, P.S.- Mansahi, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Musowir, Adv

For the Opposite Party/s : Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 12-08-2025 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 u/s 317(5) of the B.N.S. and under Section 11(1) (a), 11(1)(d), 11(1) (e) of the Prevention of Cruelty and Animal Act.

3. As per the prosecution case, the informant, on secret information, intercepted three pick-up vans which were carrying animals to Bengal through illegal means and on search, they were found to be loaded with cows. It is further alleged that two drivers were apprehended while one driver managed to flee and on being asked, they disclosed that the cattle belonged to one *Md. Elahi* but no documents could be produced by them.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in the present case merely on the basis of being the owner of the said seized vehicle bearing Registration No. BR-11GE-0491. It is further submitted that admittedly the said vehicle was taken by one *Md. Elahi* for carrying the cattle and for which he had shown the purchase memo which has been brought on record by way of Annexure P-3. It is also submitted that the petitioner has no concern with the seized cattle. It is lastly submitted that the petitioner has clean antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and also considering the fact that the petitioner has clean antecedent, let the above named petitioner, in the event of his arrest/surrender within a period of four weeks from today, be enlarged 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 Court concerned, Katihar, in connection with Pranpur P.S. Case No. 100 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharitya Nagrik Suraksha Sanhita (B.N.S.S.), with further condition/s:-



(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, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be canceled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bonds of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of the same or in the name of verification.

7. This application stands allowed.

(Sourendra Pandey, J)

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