

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77568 of 2025

Arising Out of PS. Case No.-53 Year-2025 Thana- Roshna District- Katihar

1. Md. Jamal S/o Abdul Kaiyyum Resident of village - Line Bareta, P.S - Barari, District - Katihar (EICHER PRO 2059x - Reg No. BR11GE - 9286)
2. Manjar Alam S/o Azad Ali R/o Village - Simaria Doroga Tola, P.S - Korha, District - Katihar, (EICHER PRO 2059XP Reg No. - 11 GE6713)
3. Md. Gulam Navi S/o Md. Gumani R/o Village - Bania Gram, P.S - Farakka, District - Murshidabad (W.B) (EICHER PRO 2059 XP - Reg No. BR11GE 8561)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Musowir

For the Opposite Party/s : Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 23-12-2025 1. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Roshna Police Station Case No. 53 of 2025, dated 01.07.2025, disclosing offences under Sections 317(4)/317(5)/3(5) of the Bhartiya Nyaya Sanhita, Sections 11(1)(a)(d)(e)(f)(h) of the Prevention of Cruelty of Animal Act, Section 4(B) of the Bihar Prevention of Improvement of Animal Act, Section 125 of the Motor Vehicle Act and Sections 47 to 57/97/98/99 of the Transportation of Animal Act.



3. The prosecution story, as per First Information Report, is that on 30.06.2025, during night patrolling, the police received secret information that five mini trucks carrying illegal cattle were proceeding from Manihari–Kumaripur towards Bengal via Roshna Bazar–Labha. Upon the said information, the police party conducted vehicle checking near Police Station Gate on NH-81 and signaled the trucks, bearing registration nos. BR11-GE-7808, BR11-GF-6817, BR11-GE-9286 and BR11GF-6713 to stop. Upon seeing the police party, the drivers abandoned the vehicles and fled away. On search of the said trucks, a large number of cattle were found stuffed inside the containers in a cruel manner and no valid documents were produced. Accordingly, the vehicles along with the cattle were seized and the accused persons were arrested.
4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case merely because they happen to be the registered owners of the said vehicles. He next submits that the vehicles are commercial vehicles and were plied on hire basis by the cattle purchasers, namely Samsad, Gulzar and Salauddin having proper fare/paper as such



petitioners have no concern with the seized cattle. He further submits that similarly situated co-accused person has been granted anticipatory bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 77798 of 2025. The petitioners have got no criminal antecedent.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioners have been made accused only on the fact that they happen to be the registered owners of the vehicle, which are commercial vehicle and were being plied on hire basis by the cattle purchasers and the similarly situated co-accused person has been granted anticipatory bail by a Co-ordinate Bench of this Court, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate First Class, Katihar, in connection with Roshna Police Station Case No. 53 of 2025, subject to the



condition laid down under Section 482 (2) of the Bhartiya
Nagrik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J)

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