

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77798 of 2025

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

Azad Ali Late Anisur Rahman Resident of Village - Simaria Daroga Tola, P.S.
- Korha District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md Musowir, Adv.

For the Opposite Party/s : Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-12-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 317(4), 317(5) and 3(5) of the BNS read with Sections 11(i) (a) (d) (e) (f) (h) of the Prevention of Cruelty to Animal Act and Section 4(B) of the Bihar Prevention and Improvement of Animal Act, 1960 and Section 125 of Motor Vehicles Act and Sections 47 to 57, 97, 98 and 99 of the Transportation of Animal Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that she received a secret information that cattles are being transported in 5 vehicles, accordingly, she reached the place of occurrence and stopped four vehicles and found the



same laden with cattles and Md. Saddam, Motibur and Md. Ziyauddin were arrested, further they reached Kishopur and stopped another vehicle, but the driver fled and in the vehicle cattles were found, accordingly, all the cattles were seized.

4. Learned counsel for the petitioner submits that petitioner is not named in the FIR and he came to be implicated during the course of the investigation as he is owner of one of the seized vehicles. It is next submitted that petitioner is a businessman and the seized vehicle is a commercial vehicle and the same was booked by Shamshad and Gulzar. It is next submitted that petitioner was not aware that for what purpose the vehicle has been booked. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

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

6. Considering the submissions made by the learned counsel for the petitioner, 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 bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Roshna P.S. Case No. 53 of 2025 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

9. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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