

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84868 of 2025

Arising Out of PS. Case No.-200 Year-2025 Thana- HASPURA District- Aurangabad

1. Sunil Saw Son of Lal Mohan Saw Resident of Village- Uttrain, P.S.- Konch, District- Gaya (Bihar)
2. Chandan Kumar Son of Madhusudan Sharma Resident of Village- Mohmudpur, P.S.- Konch, District- Gaya (Bihar)

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Anita Kumari, A.P.P

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 23-12-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in connection with Haspura P.S Case No. 200 of 2025, dated 07.07.2025 registered for the offence punishable under Sections 281, 303(2), 317(4), 317(5) of B.N.S.S and sections 11 and 4 of prevention of cruelty to animal act.

3. As per the FIR, during the course of patrolling informant was informed that two pick-up van loaded with cattle were caught by the villagers at *Bakhtiyarpur more* and the driver of the pick-up van was not present there. Upon search of intra V3D Pickup having registration no. BR02GD0733, four brown



coloured cows, two black coloured cows, one white coloured and one brown coloured cows were brutally tied up and on other pick up van bearing registration no. BR01GM4373, two brown coloured cows, two white coloured cows, one red coloured cow and one black and one white coloured cows were brutally tied up.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Learned counsel by referring to *Annexure-2* series submits that cattle which have been recovered from the pick-up van were purchased in the Mangra cattle fair and the purchase slip of the same has been appended with the anticipatory bail application as *Annexure-2* and as such the allegations of theft has been levelled against these petitioners ignoring the materials available on record. It has next been submitted that there is no evidence of cruelty being caused to the cattle which has said to be carried by these petitioners in a pick-up van. Lastly, it is submitted that the petitioners have no criminal antecedents.

5. On the other hand, learned APP for the State has opposed the prayer for bail of the petitioners.

6. Considering the facts that the petitioners have brought on record the purchase slip of the cattle and they are



bona fide owner of the cattle on the basis of Annexure-2 series, there has nothing been on record to show that these petitioners had caused any cruelty to the cattle, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M, Daudnagar (Aurangabad) in connection with Haspura P.S. Case No. 200 of 2025 , subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:

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

(ii) the petitioner(s) 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/her/their bail bond by the Trial Court itself;

(Ajit Kumar, J)

vashudha/-

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