

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7847 of 2026

Arising Out of PS. Case No.-268 Year-2025 Thana- GOPALPUR District- Gopalganj

1. Sanwar Devan @ Sanwar Husen S/O Noorayan Shah @ Nuraian Shah @ Nurayan Dewan R/O Village- Ahirauli Dubauli, Tola Takiya, P.S- Gopalpur, District- Gopalganj, Bihar.
2. Mintu Dewan @ Mintu Ali @ Mintu S/O Nor Mohammad @ Nur Muhammad Sah R/O Village- Ahirauli Dubauli, Tola Takiya, P.S- Gopalpur, District- Gopalganj, Bihar.
3. Mehboob S/O Hamid R/O Village- Ratupur, P.S- Ratupur, Distt.- Sambhal, Uttar Pradesh.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Indrajeet Bhushan, Advocate
For the State	:	Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-02-2026 Heard learned counsel appearing on behalf of the
petitioners and learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 317(5) and 111 of the B.N.S. and Sections 11(1)(d)(e)(f)(l) of the Prevention of Cruelty to Animals Act.

3. As per prosecution case, these petitioners are suspected to be involved in smuggling of cattle.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and



have committed no offence. Petitioner No. 2 is lawful owner of the recovered cattle and had purchased the calves from Dhadha Pashu Mela, Kushinagar, after paying consideration money and in the night of 12.10.2025, he hired a pickup van bearing Registration No. UP38AT4076 from Petitioner No. 3 for transporting the cattle to his village and while transportation, at Airauli Dubauli, Tola Takiya, the police intercepted the vehicle and asked for documents of the vehicle and calves and when everything was found in order, they asked for illegal gratification and upon refusal, this false and concocted case has been lodged. Petitioner No. 3 has got no criminal antecedents.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that petitioners are named in the F.I.R. with specific accusation that they are involved in smuggling of cattle. Petitioner No. 1 has got two criminal antecedents and Petitioner No. 2 has got one criminal antecedent.

6. Considering the facts and circumstances of the case and criminal antecedents of Petitioner No. 1, the prayer for grant of anticipatory bail to Petitioner No. 1 is rejected.

7. So far as Petitioner Nos. 2 and 3 are concerned,



considering the facts and circumstances of the case, the prayer for grant of anticipatory bail to Petitioner Nos. 2 and 3 is allowed.

8. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named Petitioner Nos. 2 and 3 be enlarged 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 J.M. 1st Class, Gopalganj in connection with Gopalpur P.S. Case No. 268 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

9. With the aforesaid directions, this application stands disposed of.

(Prabhat Kumar Singh, J)

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