

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38847 of 2026

Arising Out of PS. Case No.-114 Year-2026 Thana- MUFFASIL District- Aurangabad

Md. Jamilluddin Ahmad @ Jamilluddin, Son of Md. Jalaluddin Resident of
Village Sonar Khap, P.S.- Kutumba, District - Aurangabad, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 17-06-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with
Muffasil P.S. Case No. 114 of 2026 registered for the offences
under Sections 281, 303(2), 317(5), 325, 3(5) of the Bharatiya
Nyaya Sanhita, 2023, Section 4(B) of the Bihar Prevention and
Improvement of Animal Act, 1955 and Sections 11, 4 of the
Prevention of Cruelty to Animal Act, 1960.

3. As per the prosecution case, the patrolling party
intercepted one Tata ACE Magic vehicle and recovered four
Oxen, which were loaded in the same and two persons were also
apprehended, who disclosed his name as Md. Jamilluddin
Ahmad @ Jamilluddin (petitioner). The apprehended person on
demand does not produce any document to prove that they were



bona fide purchaser of the said Ox.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and from perusal of the documents on record, it would be evident that he was the *bona fide* purchaser and had purchased four Oxen on 11.03.2026 and was transporting the same when the vehicle was intercepted. It has further been submitted that the petitioner, during the course of the investigation, was given the benefit of the provision of Section 35(3) of BNSS, however, the police have subsequently submitted charge-sheet and therefore, he has a reasonable apprehension of being arrested. It has next been submitted that the allegation as alleged in the FIR is not made out against the petitioner, especially for the fact that there is no allegation of any cruelty being committed upon the animals, which were being carried and since the petitioner has valid documents of purchase of the said Ox, therefore, the allegation of theft of the animal is not correct. It has lastly been submitted that the petitioner carries clean antecedent.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the



petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Muffasil P.S. Case No. 114 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be his close relative.
- (ii) The petitioner shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.
- (iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall 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 antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or



in the name of verification.

7. Accordingly, the prayer for anticipatory bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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