IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64535 of 2026

CNR No. BRHC010908622026

Arising Out of PS. Case No.-235 Year-2026 Thana- LAURIA District- West Champaran

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Driver Aftab Alam @ Mohammad Aftab S/o- Mir Abbas @ Syed Abbas R/v- Ramgarh Mahuawa Ps- Piprakothi Dist- East Champaran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner : Mr. Abhishek Kumar, Advocate
For the State : Mr. Sunil Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR

ORAL ORDER

4 04-11-2026 Heard the learned counsel for the petitioner and the learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection with Lauriya P.S. Case No.235 of 2026 for allegedly having committed offences under Sections 317(5), and 3(5) of B.N.S as well as Sections 11(1)(a), 11(1)(d), 11(1)(f) and 11(1)(h) of Prevention of Cruelty to Animals Act.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant, to the effect that he proceeded along with police party for night patrolling and for conducting vehicle checking drive. While he was checking vehicles at Prabhu Chowk at around 02:20 in the night, a confidential information was received by him that

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animal smugglers are coming towards Lauriya. After giving information to the Officer-in-Charge of the police station and to verify the authenticity of the said information, the informant reached at triangle near Vyaspur Chowk and started checking the vehicles. In the meantime, one Bolero pick-up vehicle was seen coming from Ram Nagar side and when the informant signaled the said vehicle to stop, the driver of the vehicle after speeding up the vehicle tried to escape from there. At Lauriya Block Chowk the left tyre of the vehicle came out from the vehicle and the vehicle stopped. Two persons started fleeing away and managed to escape. From the vehicle total seven animals were found kept in a small cabin.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. He submits that the petitioner has been named as an accused in the present case, since he happens to be the owner of the Bolero pick-up vehicle, which has been seized and from which seven animals have been recovered. He submits that since the petitioner was not present at the place of occurrence, therefore there is no question of any recovery from him. He was not even present at the place of occurrence. He was not even aware that the driver will commit illegal act of transporting animals in the

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vehicle, which he has given to the driver for the purposes of doing business. The learned counsel for the petitioner next submits that the petitioner has got a clean antecedent.

5. Per contra, the learned APP appearing on behalf of the State, while opposing the prayer for grant of anticipatory bail to the petitioner, submits that the petitioner is the owner of the vehicle, from which seven animals have been recovered.

6. Having considered the rival submissions and after going through the records, it appears that on an information the informant started checking vehicles. One Bolero having Registration No.BR05GA9577 was intercepted and despite best effort, the persons who were sitting inside the vehicle, managed to escape. When the vehicle was searched, seven cows were found kept inside the Bolero pick-up vehicle. The petitioner was not present at the place of occurrence and his name transpired in the present case, since the Bolero pick-up vehicle, from which the cows were recovered, belongs to the petitioner.

7. Taking into consideration the facts aforesaid, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned

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Additional Chief Judicial Magistrate- 1st, West Champaran, Bettiah in connection with Lauriya P.S. Case No.235 of 2026, subject to the conditions laid down under Section 482(2) of the B.N.S.S. with a further condition that:-

The learned court concerned 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 concerned shall take steps for cancellation of his bail bond. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J.)

Sanjay/-

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