IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66244 of 2026

CNR No. BRHC010939172026

Arising Out of PS. Case No.-160 Year-2022 Thana- SHERGHATI District- Gaya

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Navsherwan Adil @ Sonu Khan @ Nausherwan Adil @ Nausherwa Adil @ Nausher Adil @ Sonu Khan S/o Late Enam Khan R/o Village - Karimganj - Karma, Bhadeya, P.S. - Barachatti, Dist. - Gaya.

... ... Petitioner/s

Versus

The State of Bihar Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Md Murad Ashraf, Adv.
Mr. Anita Kumari, Adv.
For the Opposite Party/s : Mr.Ram Sumiran Rai, Adv.

For State : Mr. Md. Mushtaque Alam, APP.

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CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR

ORAL ORDER

3 30-10-2026 Heard learned counsel for the petitioner as well as learned A.P.P. on behalf of the State.

2. The petitioner has been made an accused in a case registered for the offences punishable under Sections 279, 295(A), 414 and 120(B) of the I.P.C. and Sections 3, 4 and 4(B) of the Preservation and Improvement of Animals Rules and Section 11 of the Prevention of Cruelty to Animals Act.

3. As per the allegations made in the F.I.R., the petitioner was allegedly transporting cattle illegally for slaughter and smuggling, which led to the recovery of 38 cattle kept under harsh and cramped conditions.

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4. Learned counsel for the petitioner submits that the petitioner has not been named in the F.I.R. His name transpired on the basis of the confession of the co-accused, namely, Taimur Quereshi. Learned counsel further submits that the petitioner was not apprehended at the spot and there is no material whatsoever to connect him with the alleged offence. It is further submitted that the charge-sheet has been submitted in this case. Learned counsel further submits that the petitioner is also accused in four cases, as stated in Paragraph-3 of the application, and out of the four cases, he has already been granted bail in three cases. Learned counsel further submits that the petitioner undertakes to cooperate in the trial and not to repeat any such offence in future.

5. The petitioner has been in judicial custody since 30.07.2026.

6. Learned A.P.P. on behalf of the State has opposed the application.

7. Taking into consideration that the petitioner was not been apprehended at the spot and that he happens to be the owner of the vehicle, and the entire facts and circumstances of the case, the petitioner, above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two

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sureties of the like amount each to the satisfaction of Learned Court of ACJM- I, Sherghati, Gaya Ji or concerned Court, in connection with Sherghati P.S. Case No. 160 of 2022, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of the trial.

(ii) One of the bailors must be a close relative of the petitioner, such as his mother, father, brother, sister or wife.

(iii) The petitioner will appear on each and every date fixed by the trial court and if he fails to do so on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(iv) If the petitioner repeats an offence of a similar nature, his bail bond shall be liable to be cancelled by the Court below after following due process of law.

(v) Before release, the learned Court below shall verify the criminal antecedent of the petitioner and if the petitioner is found involved in any case other than the four cases as mentioned in paragraph-3 of the main bail petition he shall not be released.

The cases mentioned in paragraph-3 are as follows :-

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(1) Sherghati P.S. Case No. 364 of 2014.

(2) Barachatti P.S. Case No. 326 of 2019.

(3) Barachatti P.S. Case No. 589 of 2020.

(4) Amas P.S. Case No. 63 of 2022.

(vi) It is also made clear that there shall be no delay in verifying the criminal antecedents of the petitioner and the delay shall not extend beyond the period of ten days.

(vii) The S.P., Gaya shall keep vigil over the activities of the petitioner till the commencement of the trial and shall send a monthly report to the concerned Court.

(Raj Kumar, J)

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