IN THE HIGH COURT OF JHARKHAND AT RANCHI A.B.A. No. 4989 of 2024

Md. Samim Khan Petitioner

Versus

The State of Jharkhand Opposite Party

CORAM: HON'BLE MR. JUSTICE RAJESH SHANKAR

For the petitioner : Mr. Manoj Kumar No. 2, Advocate

For the State : Mr. Fahad Allam, A.P.P.

03/08.08.2024 The petitioner is apprehending his arrest for the offences punishable under Section 279 of the Indian Penal Code, Section 11(1)(d)/11(1)(e) of the Prevention of Cruelty to Animals Act, 1960, rules 47/48/49/52/56 of the Transportation of Animals Rules and Section 12(1) of the Jharkhand Bovine Animal Prohibition of Slaughter Act, 2005.

> 2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and has not committed any offence as alleged in the F.I.R. The petitioner is the owner-cum-driver of Tata truck bearing registration no. BR-24GC-7288 which collided with another truck Ashok Leyland bearing registration no. CG-04NU-4085. After the said accident, it was found that 30 bovine animals were being carried by the petitioner's truck in cruel manner. Five oxen/calves were also found dead in the said truck. It is further submitted that the petitioner has no concern with the said bovine animals. In fact, he was transporting the said animals by the said truck only for freight purpose. The petitioner has no criminal antecedent as has been stated in paragraph no. 11 of the present application. He also undertakes to co-operate in the ongoing investigation. Hence, he may be given the privilege of

anticipatory bail.

- **3.** Learned A.P.P opposes the petitioner's prayer for anticipatory bail.
- 4. Having heard learned counsel for the parties and considering the materials available on record, I am inclined to enlarge the petitioner on anticipatory bail. Accordingly, the petitioner above named, in the event of his arrest/surrender within three weeks from today, shall be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Latehar in connection with Latehar P.S. Case No. 246/2023, subject to the conditions as laid down under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

(Rajesh Shankar, J.)

Manish