

In the Court of Additional Sessions Judge III, Danapur, Patna

Present: Manoj Kumar Srivastava, A.S.J.-III,

Anticipatory Bail Petition No. 2849/2025

Arising out of Naubatpur P.S. Case No. 563/2025

1. Sunil Kumar Yadav, aged about 24 years, S/o Swami Nath Yadav, R/o Vill Ahiruli, P.S. Barhampur, Dist Buxar,
2. Satendra Gond, aged about 40 years, S/o Ramanand Gaur, R/o Vill Basauli Town, P.S. Buxar, Dist Buxar

.....Petitioners.

v r s.

The State of Bihar

.....Prosecution.

On behalf of Petitioners: Sri Jitendra Prasad, Ld. Advocate

On behalf of Opposite Party: Md. Kalam Ansari, Ld. A.P.P.

ORDER

12-03-2026

01. The petitioners have filed the present anticipatory bail petition, as they are apprehending their arrest in connection with the present Naubatpur P.S. Case No. 563/2025, dt. 12/09/2025, registered U/Ss. 281, 303(2), 317(2), 61(2), 3(5) of the B.N.S., Sec. 11 of Animals Cruelty Act, 1871 and Sec. 4 of Prevention of Cruelty to Animals Act 1960, which is pending in the Court of A.C.J.M.-VI, Danapur.

02. The prosecution case, as per, the written-application of informant R. Lata Devi (volunteer of Gau Gyan Foundation), in brief, is as such: On 12/09/2025 midnight at about 02:00 A.M., the informant with the help of police personnel of Naubatpur P.S. caught a bolero pickup bearing registration no. BR03GB-9429 loaded with animals without any valid document near H.P. petrol pump and the driver was driving the vehicle recklessly. On the said vehicle, they found that 11 cows were loaded badly with their calf. Some calf were injured due to reckless driving. Two persons namely Satendra Gone (driver) and Birendra Kumar (Co-driver) were apprehended. On demand, they could not produce any valid paper regarding the loaded animals. Further it was found that all the cattle inside the vehicle are in a very inhuman condition with all four legs tied. Due to vehicle being driven at a dangerous speed on the highway, all the cattle were falling on each other and struggling badly. The police team seized all the cattle and the vehicle. Thereafter the cattle were handed over to Khajwati Math Gaushala, Bodh Gaya, Bihar for rehabilitation and medical checkup. The accused persons are involved in illegal cattle smuggling. On the basis of written report of the informant, F.I.R. was lodged and investigation started.

03. The learned lawyer of the petitioners has submitted that the petitioners are quite innocent having clean criminal antecedent and have committed no offence as alleged and the allegations leveled against them are totally false and baseless. Further earlier to this, the petitioners have not filed any bail application for grant of regular bail or anticipatory bail in this court or in the Hon'ble High Court in this case and no bail application of the petitioners is pending in any court. Further submitted that allegation against the petitioners are totally false and concocted. Further no theft animals have been recovered from the possession of the

Cont....

petitioners. Further petitioner no.1 is owner of bolero pickup No. BR03GB-9429 and petitioner no. 2 is driver. The petitioners are not involved in illegal trafficking of animals. Lastly, it is submitted that the petitioners are ready to abide any condition or conditions as laid down u/s 482(2) B.N.S.S., 2023 and also ready to furnish bail-bond with proper sureties. So, the petitioners may be given the privilege of anticipatory bail.

04. The learned Addl. P.P. has vehemently opposed the prayer of anticipatory bail of the petitioners.

05. Heard the Ld. Lawyers of the respective parties and perused the case record.

06. From perusal of the F.I.R., it appears that the present case has been lodged for the offence U/Ss. 281, 303(2), 317(2), 61(2), 3(5) of the B.N.S., Sec. 11 of Animals Cruelty Act, 1871 and Sec. 4 of Prevention of Cruelty to Animals Act 1960, for illegal smuggling of cattle. So far case diary is concerned, the court finds that during hearing of this bail application several directions have been issued to the concerned I.O. of this case to submit the case diary such as letter no. 973 dated 19/12/2025, reminder letter no. 75 dated 16/01/2026 and show cause letter no. 161, but the police officer dared not to produce the case diary. Let his negligence be reported to the concerned senior police officer for departmental action. Further the petitioners have filed several documents issued from Saptahiki Pashu Haat, Naubatpur, Chausa, Dist Baxar showing the cattle have been purchased by purchasers Gopal Yadav and Rajdev Yadav. On perusal of entire materials on record, the court finds that the petitioner is no. 1 is claiming as owner of the seized bolero pickup and petitioner no. 2 is its driver. Further the petitioners have no criminal antecedent. Further several documents have been produced on record by the petitioners showing cattle have been duly purchased animals. The investigation of the case is pending.

07. Considering the aforesaid fact and the nature of offence as well as decision of the Hon'ble Supreme Court of India given in the case of Satendra Kumar Antil v CBI and another, the A.B.P. filed on behalf of the above named petitioners is **allowed**.

08. Accordingly, it is ordered that in the event of their arrest or surrender before the concerned court within 30 days from the date of this order, the petitioners shall be released on bail on furnishing of bail-bond of Rs.10,000/- with two security of like amount each with condition laid down U/S 482(2) B.N.S.S., 2023 to the satisfaction of Ld. Court below. O/C is directed to send a copy of this order to the Court below and a copy of the same be uploaded in C.I.S.

(Dictated)

(Manoj Kumar Srivastava)

Addl. S. J. 3rd, Danapur
12-03-2026

Sd/-

(Manoj Kumar Srivastava)

Addl. S. J. 3rd, Danapur

Memo No...../ Dated...../...../.....

Copy forwarded to

The Court of.....