

In the Court of Sessions Judge, Supaul

A.B.A.-347/2026

(Arising out of Bhaptiyahi PS Case No:-208/2023)

07/05/2026

Md. Niyaz, S/o- Md. Raish @ Iliyas, R/o- Ward No.36, Gali No.18, Zeromile Gulab Bagh, PS- Sadar, District- Purnia;

.....Accused/Petitioner
Vs.

State of Bihar.O.P.

Ld. Counsel for petitioner Sri. Suman Kumar Singh, Advocate.

Ld. APP Sri. Amar Kumar Das, for the State.

By this order we are going to dispose off the anticipatory bail application filed on behalf of accused/ petitioner, namely Md. Niyaz, who is apprehending his arrest in connection with Bhaptiyahi PS Case No.:–208/2023, u/s- 413, 414/ 34 of IPC and Section 11(D)(E) The Prevention of Cruelty to Animal Act.

Ld. counsel for the accused/ petitioner submitted that accused/ petitioner is quite innocent and has committed no crime and he has falsely been implicated in this case out of grudge, malice and dirty party politics. He further submitted that the accused/ petitioner is not involving in any other case and having the clean antecedent. He further submitted that the offence as alleged in FIR is not applicable against the accused/ petitioner. It is also submitted that accused/ petitioner is ready to abide by the provisions of section 482 of B.N.S.S, so he may be admitted to the anticipatory bail.

Ld. PP for the State strongly opposed the anticipatory bail application.

In brief, the prosecution story is that on dated 11.12.2023 during the course of patrolling duty, Sub-Inspector Alok Kumar Amal, received a secret information and on that basis he intercepted a container bearing registration No. RJ10GA-2078, which was coming from Darbhanga side and the driver of the container, cleaner as well as one another person namely Md. Naushad were duly interrogated and the container was duly searched and from that container 19 bullock was recovered. The person apprehended from there have not produced any valid document regarding the transportation of the bullock and they disclosed to the police that these bullock were loaded in their container at Gopalganj and they are going to Panjipara West-Bengal. They further disclosed that Md. Niyaj, Mithun Purve and Md. Ibrahim are also involved in this crime. Thereafter, the police has registered the FIR under different Sections of IPC and 11(D)(E) of The Prevention of Cruelty to Animal Act.

Argument heard from both sides and perused the record as well as case diary. On perusal of the case diary, it transpires that in this case police has recorded the

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