

IN THE COURT OF SESSIONS JUDGE, GUMLA
CNR: JHGM01-003522-2022
A.B.P.No.552 of 2022.

03.11.22

The instant anticipatory bail petition preferred on behalf of accused/petitioner namely, Talim Khan @ Md. Talim Khan who is apprehending his arrest in connection with Chainpur P.S.Case No.23/22, for offence u/S 414/34 of IPC, u/s 11 (1)(a) of Animal Cruelty Act, 1960, u/S 12(i) of Jharkhand Bovine Animal Slaughter Act, 2005, has been pressed for hearing today by his learned counsel in presence of learned P.P appearing for the State.

Learned counsel for the petitioner has submitted that petitioner is innocent and has committed no offence and previously no bail petition has been filed by petitioner before any Court of Law. It is further submitted that the FIR is self designed, concocted and due to village politics. Petitioner is a farmer and he is earning his livelihood by farming. Noting incriminating like lathi, danda and rope was recovered from the possession of petitioner. Hence, he may be admitted to anticipatory bail.

Learned P.P has opposed the prayer of anticipatory bail.

Considered the rival contentions and perused the case diary. From perusal of case diary, it transpires that allegation against the petitioner is u/S 414/34 of IPC, u/s 11 (1)(a) of Animal Cruelty Act, 1960, u/S 12(i) of Jharkhand Bovine Animal Slaughter Act, 2005. As per allegation made by informant ASI Manik Mandi of Chainpur P.S on 31.07.22 he got secret information regarding movement of bovine smugglers alongwith 20-25 bovine animals in cruel manner for slaughtering purposes and in this connection after lodging Sanha No.16/22 dated 21.08.22 after constituting a raiding party he

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reached at the identified place of occurrence and apprehended four persons out of 10-12 persons. The apprehended persons disclosed their names as (1) Mahtab Khan, (2) Sufiyan Khan, (3) Arbaj Khan, (4) Gulbaj Khan. The apprehended persons also disclosed the name of absconded persons as (1) Mintu Khan , (2) Ravi Khan, (3) Talim Khan (petitioner), (4) Afjan Khan, (5) Azhar Khan, (6) Pitar Khan (petitioner), (7) Tahir Ansari, (8) Seraj Ansari, who had succeeded to escape themselves from the place of occurrence. As per prosecution version altogether 25 bovine animals were seized and in this connection a seizure memo was prepared vide para-2 of the case diary.

So far as this petitioner is concerned, as per allegation at the time of raid petitioner succeeded to escape from the clutches of police. Vide para-110 of the case diary, petitioner has criminal background and against this petitioner Chainpur P.S.Case No.14/18 u/S 414/34 of IPC and u/s 11 (D) of Animal Cruelty Act as well as u/S 12 of Jharkhand Bovine Animal Slaughter Act, 2005 is pending.

So, considering these aspects and also considering criminal background of petitioner, I find that petitioner does not deserves benefit of anticipatory bail. Accordingly, prayer of anticipatory bail of petitioner namely Talim Khan @ Md. Talim Khan stands rejected.

(Dictated)

Sd/-

(S.K Chandhariyavi)
Sessions Judge, Gumla.