

**Court No. - 16**

**Case :-** CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438  
CR.P.C. No. - 2822 of 2023

**Applicant :-** Anwar Ahmad

**Opposite Party :-** State Of U.P. Thru. Addl. Chief Secy. Home Deptt. Civil  
Sectt. Lko

**Counsel for Applicant :-** Shamshad Ahmad Khan

**Counsel for Opposite Party :-** G.A.

**Hon'ble Subhash Vidyarthi,J.**

1. Heard Sri Shamshad Ahmad Khan, the learned counsel for the applicant as well as Ms. Charu Singh , learned A.G.A. appearing on behalf of the State and perused the records.
2. The instant application has been filed by the applicant seeking anticipatory bail in F.I.R. bearing Case Crime No. 341 of 2023, under Section 3/5A/8 of U.P. Prevention of Cow Slaughter Act, 1955 and Section 11 (dha) of Prevention of Cruelty to Animals Act, 1960 and 207 of The Motor Vehicle Act, 1988, registered at Police Station Paraspur, District Gonda.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 26.07.2023, alleging that on the basis of information received from a mukhbir, a truck was intercepted. The truck driver and another person riding a motorcycle escaped. 16 cow progenies were loaded in the truck in a cruel manner.
4. In the affidavit filed in support of the anticipatory bail application it has been contended that the applicant is innocent, he has falsely been implicated in the present case and he has no criminal history.
5. It has further been stated that the driver of the vehicle Anil Yadav has been granted bail by means of an order dated 05.10.2023 passed by Session Court, Gonda.
6. The learned A.G.A. has opposed the application and she has stated on the basis of instructions received by her that an information had been received from

a mukhbir, animals were being transported of being slaughtered.

7. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the F.I.R does not contain an allegation that the animals were being transported for being slaughtered; that the allegation that subsequently, it has come to light that the animals were being transported for being slaughtered, is based on the information received from a mukhbir and that the applicant has no previous criminal history, I am of the view that the aforesaid facts are sufficient for making out a case for granting anticipatory bail to the applicant.

8. In view of the above, the anticipatory bail application of the applicants is **allowed**. In the event of arrest/ appearance of applicant- **Anwar Ahmad** before the learned Trial Court in the aforesaid case crime, he shall be released on anticipatory bail on his furnishing personal bond and two solvent sureties, each in the like amount, to the satisfaction of S.H.O./Court concerned on the following conditions and subject to any other conditions that may be fixed by the Trial Court:

(i). That the applicant shall appear before the trial court on each date fixed, unless personal presence is exempted;

(ii). That the applicant shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with the evidence;

(iii). That the applicant shall not pressurize/ intimidate the prosecution witness;

**(Subhash Vidyarthi, J.)**

**Order Date :- 8.12.2023**

Preeti.