

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40878 of 2019

Arising Out of PS. Case No.-34 Year-2019 Thana- MUFFASIL District- West Champaran

MOJAFAR ALAM @ MUJAFFAR ALAM S/o Parvej Alam R/o Village-
Kharsahwan, P.S.- Balthar, District- West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 05-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 414 of the Indian Penal Code, under Section 11(d)(e)(f),I(k) of Prevention of Cruelty to Animal Act and Rule 47, 48, 49, 51 of Transporting Rules registered in connection with Bettiah (Muffasil) Banuchhapar P.S. Case No. 34/2019.

3. It is submitted that the petitioner has been falsely implicated and he is not named in the FIR. His name has surfaced in course of the investigation as owner of one of the three vehicle found to be loaded with cattle. Similarly situated Rajaytun Nesha, owner of another vehicle, has been granted anticipatory bail by this court. Petitioner claims clean antecedent.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of



Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah(Muffasil) Banuchhapar P.S. Case No. 34/2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Prakash Narayan /-

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