

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48801 of 2023**

Arising Out of PS. Case No.-214 Year-2022 Thana- PALANWA District- East Champaran

Alamgir Mian @ Jahagir Mian S/O Sukhari Maian R/O Village- Purandra  
(Janki Tola), Ps. Palanwa (Bhelahi OP), Dist. East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Asif Kalim, Adv.

For the Opposite Party/s : Mr.T apeshwar Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      11-08-2023                      Heard learned counsel for the petitioner and the  
learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Palanwa (Bhelahi OP) PS Case No. 214 of 2022 dated 3-10-2022, registered for the offence punishable under Sections 11(1)(L) of the Prevention of Cruelty to Animals Act, 1960.

3. One lady has been apprehended carrying 25 kg beef. She has stated that the petitioner was the consignee of the beef.

4. It is submitted by the petitioner's counsel that on statement of co-accused having no sanctity of law, the petitioner has been implicated. There is no recovery of any incriminating



material from the petitioner so as to attract the provisions contained in Section, under which the offence has been alleged. He has no antecedents and there is is no material to show that the beef was being carried with a view to its trading.

5. Learned APP for the State has opposed the prayer for bail.

6. Considering the rival submissions, clean antecedent and manner of implication, this Court, for the limited purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for anticipatory bail is allowed.

7. Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Raxaul at Motihari, Dist-East Champaran at Motihari, connection with Palanwa (Bhelahi OP) PS Case No. 214 of 2022 dated 3-10-2022, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure with following conditions:

(i) That one of the bailors



will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

**(Madhuresh Prasad, J)**

shyambihari/-

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