

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66418 of 2025

Arising Out of PS. Case No.-167 Year-2025 Thana- AAJAM NAGAR District- Katihar

Makbul Hussain son of Jullu Rahman Resident Of Village- Jankinagar Ps
-Azamnagar Distirct- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 17-09-2025 Heard Mr. Bhola Prasad, learned counsel for the

petitioner and Mr. Jitendra Kumar Singh, learned APP for the

State.

2. The petitioner is apprehending arrest in connection
with Azamnagar P.S. Case No. 167 of 2025 instituted under
Section 317(5) of Bhartiya Nayay Sanhita, 2023 and section
11(a), 11(d) & 11 (e) of Prevention of Cruelty of Animal Act,
1960 lodged on 31.05.20258 by the informant,Md. Mahboob
Alam.

3. As per the prosecution story, the informant alleged
that he being the District Coordinator submitted a written report
that he alongwith associates intercepted a Tempo loaded with
cattle and in inhumane way, they disclosed the name which
included this petitioner. Thereafter, has been failed to provide



the document, handed over to the Police which followed the FIR.

4. Learned counsel for the petitioner submits that all the valid documents are there but the so-called Coordinator was held bent upon sending them to police station which resulted into the lodging of the FIR. He do not have criminal antecedent, if granted bail, shall be diligently appearing in trial.

5. Learned APP opposes the prayer.

6. Considering the submissions of the parties as also that he do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the concerned court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Azamnagar P.S. Case No. 167 of 2025 to the satisfaction of learned C.J.M., Katihar subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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