

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 43960 of 2023

Applicant :- Mohammad Kaunyan And 2 Others

Opposite Party :- State of U.P.

Counsel for Applicant :- Shyam Sunder Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia,J.

1. Heard learned counsel for the applicants as well as learned A.G.A. and perused the record.
2. The Counsel for the applicants argues that the applicants have been falsely implicated in this case. Nothing has been recovered from their possession. The applicants are in custody since 5.8.2023.
3. Learned A.G.A. vehemently opposed the bail prayer.
4. Considering the fact that the applicants are in custody since 5.8.2023 and have no criminal antecedents, there is nothing on record to demonstrate that the applicants if enlarged on bail, would in any way adversely affect the trial and without expressing any opinion on merit, I am of the view that the applicants are entitled to be released on bail.
5. Accordingly, the bail application is **allowed**.
6. Let the applicants - Mohammad Kaunyan, Mohammad Haidar Ali and Mohammad Kasim be released on bail in Case Crime No. 171 of 2023, under Sections **3/5A/8** of the U.P. Prevention of Cow Slaughter Act and **Section 4/25** of the Arms Act, Police Station - Hathgawan, District - Fatehpur, on their furnishing personal bonds and two reliable sureties of Rs.25,000/- each to the satisfaction of the court concerned with the following conditions:
 - (a) The applicants shall execute a bond to undertake to attend the hearings;
 - (b) The applicants shall not commit any offence similar to the offence of which they are accused or suspected of the commission; and
 - (c) The applicants 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 them from disclosing such facts to the Court or to any police officer or tamper with the evidence.

Order Date :- 6.11.2023

Irshad