

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 43994 of 2023

Applicant :- Mohd. Mukabir

Opposite Party :- State of U.P.

Counsel for Applicant :- Sudhir Kumar Agarwal

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia,J.

1. Heard learned counsel for the applicant as well as learned A.G.A. and perused the record.

2. The Counsel for the applicant argues that the applicant has been falsely implicated in this case. It is further argued that the co-accused has been enlarged on bail. On the ground of parity, the applicant is also entitled to be released on bail on the ground of parity. Nothing has been recovered from his possession. The applicant is in custody since 23.8.2023.

3. Learned A.G.A. vehemently opposed the bail prayer.

4. Considering the fact that the applicant is in custody since 23.8.2023 and has no criminal antecedents, there is nothing on record to demonstrate that the applicant 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 applicant is entitled to be released on bail.

5. Accordingly, the bail application is ***allowed***.

6. Let the applicant - Mohd.Mukabir be released on bail in Case Crime No. 202 of 2023, under Sections **3/5/8** of the U.P. Prevention of Cow Slaughter Act, Police Station - Chhapar, District - Muzaffarnagar, on his 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 applicant shall execute a bond to undertake to attend the hearings;

(b) The applicant shall not commit any offence similar to the offence of which he is accused or suspected of the commission; and

(c) 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.

Order Date :- 6.11.2023

Irshad