

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 46289 of 2023

Applicant :- Shahjad

Opposite Party :- State of U.P.

Counsel for Applicant :- Haya Rizvi

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia,J.

1. Heard learned counsel for the applicants, learned AGA and perused the record.

2. The accused-applicants seek bail in Case Crime No.202 of 2023 under section 3/5/8 U.P. Cow Slaughter Act, Police Station Chhapper, District Muzaffar Nagar.

3. It is argued that the applicants have been falsely implicated in the case and he has not been named in the FIR and his name surfaced in the confessional statement of the co-accused. It is also argued that nothing has been recovered from the possession of the applicant. With respect to criminal history, the same have been explained in the 28 of the Bail Application. It is further argued that the co-accused have been granted bail vide order dated 17.10.2023 and 06.10.2023 by this Hon. Court. There are no chances of the applicant of fleeing away from the judicial process or tampering with the prosecution evidence. It is next contended by the learned counsel for the applicant that the applicant is in jail since 18.09.2023 and in case he is enlarged on bail, he will not misuse the liberty of bail.

4. Learned A.G.A. has opposed the prayer for bail, but could not dispute the aforesaid facts.

5. Considering the fact that the applicant is not named in the FIR and the co-accused have been granted bail by this court, the applicant is entitled for the bail. Thus the bail application is allowed.

6. Let the applicant ***Shahjad*** be released on bail in aforesaid first information report number subject to their furnishing a personal bond and two reliable sureties of Rs.25000/- each 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 :- 2.11.2023

VNP/-