

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 47539 of 2023

Applicant :- Firoz

Opposite Party :- State of U.P.

Counsel for Applicant :- Kaushal Kumar Pandey, Anand Ji Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia, J.

1. Heard learned counsel for the applicant, learned AGA and perused the record.
2. In terms of the FIR, it is clear that it was a case of police party firing; no police personnel has sustained any vital injury on account of the alleged firing caused by the applicant. The criminal antecedents have been explained in Para - 16 of the bail application.
3. Learned AGA has opposed the bail application.
4. Considering the fact that no injury has been sustained by the police personnel and in fact, the injury was sustained by the applicant in the police party firing and the recovery of alive cattle is not indicative of any major offence under the Cow Slaughter Act and the said is also contrary to Section 100 Cr.P.C., the applicant is entitled to be enlarged on bail. In view thereof, the application is ***allowed***.
5. Let the applicant ***Firoz*** be released on bail in FIR No.611 of 2023, under Section 307/34 IPC, Section 3/8 of U.P. Prevention of Cow Slaughter Act, Section 11 of Animal Cruelty Act & Section 3/25 of Arms Act, P.S. Sardhana, District Meerut on his furnishing a personal bond with two sureties of Rs.25,000/- each to the satisfaction of 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 :- 7.11.2023

nishant