

Court No. - 71

Case :- CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438
CR.P.C. No. - 12455 of 2023

Applicant :- Durgesh Chauhan

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Kamal Dev Singh Chanchal

Counsel for Opposite Party :- G.A.

Hon'ble Shekhar Kumar Yadav,J.

1. Heard learned counsel for the applicant, learned A.G.A. for the State and perused the record.
2. Present Anticipatory Bail Application has been filed with the prayer to grant anticipatory bail to the applicant in Case Crime No. 91 of 2023, under Sections 3/5-A/5-B/8 of the Cow Slaughter Act, and Section 11 of Animal Cruelty Act,P.S. Kandwa, District Chandauli.
3. The police has lodged an FIR under the Cow slaughter Act against three accused persons including the applicant showing recovery of animals from a vehicle, which were said to be taken to out of the State of UP.
4. It has been contended by the learned counsel for the applicant is innocent and has been falsely implicated in the present case. It is further submitted that there is no public witness of the alleged recovery. It is further submitted that the applicant was not present on the date at the place of incident. He is owner of the vehicle in question and the said vehicle was driven by co accused Shailendra Kumar @ Sanni Kumar.
5. Learned A.G.A. opposed the prayer for bail and submitted that applicant is involved in the present case along with other accused persons.
6. Without expressing any opinion on the merits of the case and considering the allegations levelled against the applicant and the nature and gravity of the accusation, I find no good ground for grant of bail to the applicant.
7. Accordingly, the anticipatory bail application is **rejected**.
8. However, the applicant is at liberty to move bail application u/s 439 Cr.P.C., if so advised.

Order Date :- 22.11.2023

RavindraKSingh