

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 49101 of 2023

Applicant :- Narendra Yadav And Another

Opposite Party :- State of U.P.

Counsel for Applicant :- Virendra Kumar Sonkar, Shadab Alam

Counsel for Opposite Party :- G.A.

Hon'ble Umesh Chandra Sharma, J.

1. Heard learned counsel for the applicants, learned AGA for the State and perused the record.
2. The instant bail application has been filed with a prayer to enlarge the applicants on bail in Case Crime No.0393 of 2023, under Section 307 IPC, Section 3/5A/8 of the UP Prevention of Cow Slaughter Act and Section 11 of Animal Cruelty Act, Police Station Bardah, District Azamgarh, during the pendency of trial.
3. Learned counsel for the applicants submits that the applicants have been falsely implicated in the present case. It is further contended that at the place of incident alive cattle were recovered. No beef has been recovered from the possession of the applicants. He further contends that there is criminal of four cases against applicant no.1 in which he has already been enlarged on bail whereas applicant no.2 has no criminal history. There is no likelihood of their abscondence or tampering with the evidence. The applicants are in jail since 25.09.2023. In case they are enlarged on bail, they will not misuse the said liberty.
4. Learned AGA has opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.
5. Having regard to the facts, circumstances and the submissions made but without commenting on merits of the case, this Court is of opinion that the applicants are entitled to be enlarged on bail. Accordingly, the bail application is allowed.
6. Let the applicants - **Narendra Yadav** and **Premveer Yadav**,

involved in the aforesaid case be released on bail on their furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to the conditions that they:

- (i) shall appear on the date fixed by the trial court;
- (ii) shall not tamper with the prosecution evidence;
- (iii) shall not pressurize the prosecution witnesses.

7. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

Order Date :- 20.11.2023

Shahroz