

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 52041 of 2023

Applicant :- Bheem Bhai@ Chudasama Bheem Bhai Jagarbhai

Opposite Party :- State of U.P.

Counsel for Applicant :- Praveen Kumar Singh, Rupesh Kumar Singh

Counsel for Opposite Party :- G.A.

Hon'ble Umesh Chandra Sharma,J.

1. Heard Sri Praveen Kumar Singh, learned counsel for the applicant, learned AGA for the State and perused the record.
2. By means of this bail application, applicant seeks bail in Case Crime No. 236 of 2021, under Sections 3/5A/5B/8 Cow Slaughter Act and section 11 The Prevention of Cruelty to Animal Act,, Police Station Saiyadraja, District Chandauli, during the pendency of trial.
3. It is submitted by learned counsel for the applicant that the applicant is innocent and has been falsely implicated in the present case. The applicant is not named in the FIR and nothing has been recovered from the possession of the applicant. Also there is no eye witness of the alleged incident. There is no criminal history to the credit of the applicant. There is no likelihood of his abscondence or tampering with the evidence. The applicant is in jail since 21.09.2023. In case the applicant is enlarged on bail, he 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 applicant is entitled to be enlarged on bail. Accordingly, the bail application is allowed.
6. Let the applicant - **Bheem Bhai@ Chudasama Bheem Bhai Jagarbhai**, involved in the aforesaid case crime be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to the

conditions that he:

- (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 :- 13.12.2023

RPD