

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 17 of 2023

Applicant :- Kamal @ Lambu

Opposite Party :- State Of U.P. Thru. Secy. Home Lko.

Counsel for Applicant :- Narendra Gupta, Kaleem Ur Rehman, Shaista Parveen

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Ms. Shaista Parveen, the learned counsel for the applicant, Ms. Arti Gupta Singh, the learned A.G.A. for the State and perused the records.
2. The instant application has been filed seeking release of the applicants on bail in Case Crime No. 491 of 2022, under Sections 3/ 5/ 8 of Prevention of Cow Slaughter Act and under Section 420 IPC, Police Station Palia, District Lakhimpur Kheri.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 25.08.2022 against four persons stating that on the basis of an information received from a mukhbir, a four wheeler vehicle was intercepted. The applicant was arrested and three other persons sitting in the vehicle escaped. About two quintal flesh of cow progeny kept in eight plastic sacs was recovered from the vehicle.
4. In the affidavit filed in support of the application it has been stated that the applicant is innocent and he has been falsely implicated in the present case.
5. A supplementary affidavit has been filed disclosing the applicant's involvement in seven other cases, in all of which he has been granted bail.
6. The learned counsel for the applicant has submitted that the applicant is languishing in jail since 25.08.2022 without any progress in trial.
7. The learned A.G.A. has opposed the prayer for bail but he could not dispute the aforesaid aspects of the matter.
8. Having considered the aforesaid facts and circumstances of

the case, I am of the view that the applicant is entitled to be released on bail in the aforesaid crime.

9. Accordingly, this bail application stands ***allowed***.

10. Let the applicant-***Kamal @ Lambu*** be released on bail in Case Crime No. 491 of 2022, under Sections 3/ 5/ 8 of Prevention of Cow Slaughter Act and under Section 420 IPC, Police Station Palia, District Lakhimpur Kheri on furnishing a personal bond and two sureties each in the like amount to the satisfaction of magistrate/court concerned, subject to following conditions:-

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

Order Date :- 2.11.2023

Pradeep/-