

**Court No. - 16**

**Case :-** CRIMINAL MISC. BAIL APPLICATION No. - 4786 of 2023

**Applicant :-** Chand

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

**Counsel for Applicant :-** Suman Lata, Anita Singh, Dharendra Pratap Singh

**Counsel for Opposite Party :-** G.A.

**Hon'ble Subhash Vidyarthi, J.**

1. Heard Sri Dharendra Pratap Singh, the learned counsel for the applicant, Sri Arpit Kumar, the learned A.G.A. for the State and perused the records.

2. The instant application has been filed seeking release of the applicant on bail in Case Crime No.19 of 2023, under Sections 3/5/8 of U.P. Prevention of Cow Slaughter Act, registered at Police Station Inhauna, District Amethi.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 29.01.2023 against three persons, including the applicant, alleging that on the basis of information received from a mukhbir the police party reached behind the applicant's under construction house where the accused persons were involved in slaughtering a cow progeny. The applicant was arrested and the other persons escaped and 70 kgs. flesh and some other articles were recovered from the spot. However, no independent person has witnessed the alleged recovery.

4. In the affidavit filed in support of bail application it has been stated that the applicant is innocent, he has been falsely implicated in the present case and he has no criminal history. Both the other co-accused persons have already been granted bail in the present case and the copies of their bail orders have

been annexed with the affidavit filed in support of the bail application.

5. The learned A.G.A. has opposed the prayer for bail but he could not dispute the aforesaid aspects of the matter.

6. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the alleged recovery has not been witnessed by any independent witness; that both the other co-accused persons have already been granted bail by this court; that the applicant has no previous criminal history and he is languishing in jail since 30.01.2023 and without making any observation, which may affect the merits of the case, I am of the view that the aforesaid facts are sufficient for making out a case for enlargement of the applicant on bail in the aforesaid crime.

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

8. Let the **applicant-Chand** be released on bail in the aforesaid case 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.

**(Subhash Vidyarthi, J.)**

**Order Date :- 30.11.2023**  
Ram.