

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 7449 of 2023

Applicant :- Mohd. Puttan And Another

Opposite Party :- State Of U.P. Thru. Addl. Chief Secy., Home, Lucknow

Counsel for Applicant :- Syed Ahmad Mehdi

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Syed Ahmad Mehdi, learned counsel for the applicant, Sri Amitabh Chaturvedi, 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.523 of 2022, under Sections 3/5/8 U.P. Prevention of Cow Slaughter Act, registered at Police Station Kotwali Rudauli, District Ayodhya.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 10.11.2022 against three persons, including the applicants, alleging recovery of 80 kg flesh of cow progeny and its other remains along with some article used in slaughtering the cow progeny.
4. In the affidavit filed in support of bail application, it has been stated that the applicants are innocent. They have been falsely implicated in the present case and they have no criminal history. It has been further stated that the applicants have been languishing in jail since 10.11.2022 and even charges have not been framed till date.
5. Learned counsel for the applicants has stated that the co-accused Sajida, charged with similar allegations, has been enlarged on bail by this Court vide order dated 16.11.2023 passed in Criminal Misc. Bail Application No. 1635 of 2023, hence the applicants herein are also entitled to be released on bail on the ground of parity.
6. The learned A.G.A. has opposed the prayer for bail but he could not dispute the aforesaid aspects of the matter.
7. Having considered the aforesaid facts and circumstances of the case 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 applicants on bail in the aforesaid crime.

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

9. Let the applicant- **Mohd. Puttan and Mohd. Meraj** be released on bail in aforementioned case on each of them 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 applicants shall not tamper with the prosecution evidence;

(ii) the applicants shall not pressurize the prosecution witnesses;

(iii) the applicants shall appear on each and every date fixed by the trial court.

(Subhash Vidyarthi, J.)

Order Date :- 18.11.2023

A.Nigam