

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12586 of 2023

Applicant :- Furqan @ Arif

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

Counsel for Applicant :- Ramesh Chandra Gupta,D.P. Dutt Tiwari,Mayank Singh

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri D.P. Dutt Tiwari, the learned counsel for the applicant as well as Sri Manish Kumar Pandey, the learned A.G.A.-I for the State and perused the record.

2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 584 of 2023, under Section 3/8 of Uttar Pradesh Prevention of Cow Slaughter Act, 1955, registered at Police Station Thakurganj, District Lucknow.

3. The aforesaid case has been registered on the basis of F.I.R. lodged on 25.08.2023 stating that the informant had been telephonically informed by some other person that some animals were being administered injection by some person for taking them for the purpose of slaughter. The applicant was restrained by the informant and some other private persons and was handed over to the police.

4. In the affidavit filed in support of the bail application, it has been stated that the applicant is innocent and he has been falsely implicated in the present case. The applicant's involvement in another case bearing Case Crime No. 300 of 2022 under Section 3/8 of Uttar Pradesh Prevention of Cow Slaughter Act, registered at Police Station Thakurganj, District Lucknow, has been disclosed in para 11 of the affidavit, in which he has been granted bail by means of an order dated 31.10.2022.

5. The learned A.G.A. has opposed the prayer of the 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 neither any animal was slaughtered nor was any incriminating material recovered from the applicant and without making any observations 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.

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

8. Let the applicant- **Furqan @ Arif** 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 the 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 :- 27.10.2023

Preeti.