

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14646 of 2023

Applicant :- Wahid

Opposite Party :- State Of U.P. Thru. Prin. Secy. Deptt. Home, U.P. Lucknow

Counsel for Applicant :- Firoz Ahmad Khan

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Firoz Ahmad Khan, the learned counsel for the applicant as well as Sri Gyanendra Singh, the learned A.G.A. 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. 460 of 2021, under Section 3/5 Kha/8 of Uttar Pradesh Prevention of Cow Slaughter Act, 1955 and Section 11 of the Prevention of Cruelty to Animal Act, 1960, registered at Police Station Bilgram, District Hardoi.
3. The aforesaid case has been registered on the basis of F.I.R. lodged on 06.07.2021 alleging that six cow progenies were recovered from the truck and the driver of the truck escaped.
4. The police claimed to have arrested two persons on the basis of information received from a mukhbir and it is alleged that they confessed that they are engaged in slaughtering cow progneies and the applicant was driving the vehicle in question.
5. 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.
6. The applicant's involvement in two other cases has been disclosed in the affidavit in support of the bail application and a supplementary affidavit has been filed on his behalf disclosing his involvement in six other cases, in five of which the applicant has been granted bail and in 6th case he has not been summoned till date. The applicant is languishing in jail since 28.12.2022.

7. The learned counsel for the applicant has submitted that co-accused persons Sabloo, on the basis of whose statement the applicant has been implicated in the preset case, has already been granted bail by means of an order dated 26.07.2021 passed by a Additional Session Judge, Hardoi.

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

9. Having considered the aforesaid facts and circumstances of the case and without making any observations which may affect the merits of the case, I am of the view that the applicant is also entitled to be released on bail.

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

11. Let the **applicant- Wahid** 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 :- 15.12.2023

Preeti.