

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13805 of 2023

Applicant :- Madhukesh

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

Counsel for Applicant :- Uday Kumar,Rahul Agnihotri

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Rahul Agnihotri, 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 applicant on bail in Range Case No.15/2023-24 under Sections 9, 27, 29, 31, 32, 48Ka, 51 (1-C) of the Wild Life (Protection) Act, 1972 and 26 of the Indian Forest Act, Police Station Range Mailani, District Kheri.
3. The aforesaid case has been registered on the basis of a complaint alleging that the applicant and co-accused Anil Singh have entered into reserved forest area and collected some articles illegally
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.
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 offences alleged carry a maximum punishment of imprisonment up to 7 years; that the applicant has no previous criminal history 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**-Madhukesh be released on bail in aforementioned 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 :- 23.11.2023
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