

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14418 of 2023

Applicant :- Nanwoo

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

Counsel for Applicant :- Nripendra Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Supplementary affidavit filed by learned counsel for the applicant in Court today is taken on record.
2. Heard Sri Nripendra Mishra, learned counsel for the applicant, Sri Virendra Kumar, learned A.G.A. for the State and perused the records.
3. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 430 of 2023, under Sections 3/5/8 U.P. Prevention of Cow Slaughter Act, registered at Police Station- Kot. Bhinga, District- Shrawasti.
4. The aforesaid case has been registered on the basis of an F.I.R. lodged on 24.08.2023 against two persons, including the applicant, alleging that the informant's calf had gone missing on 12.08.2023 and some remains of the calf were packed in a polyethelene and the packet was recovered from a pond on 13.08.2023.
5. The informant stated that he had come to know from some undisclosed sources that some unknown persons had slaughtered his calf.
6. In the affidavit filed in support of bail application it has been stated that the applicant is innocent and he has been falsely implicated in the present case.
7. Learned counsel for the applicant informed that by way of supplementary affidavit, two other cases have been disclosed. One of

which relates to the year 2017 regarding which the applicant has no knowledge. The other case is under the Uttar Pradesh *Gangsters* and Anti-Social Activities (Prevention) Act, 1986 in which the applicant has been implicated on the basis of his involvement in the present case.

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

9.. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the remains of the calf were recovered on 13.08.2023 whereas the FIR has been lodged on 24.08.2023; that the informant has not disclosed the source of information of the applicant involved in commission of the offense; that the applicant is languishing in jail since 25.08.2023 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.

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

11. Let the **applicant- Nanwoo** 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.

Order Date :- 11.12.2023

Mohit Singh/-