

Court No. - 29

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14443 of 2023

Applicant :- Sufiyan

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

Counsel for Applicant :- Wasim Ahmad

Counsel for Opposite Party :- G.A.

Hon'ble Mrs. Sadhna Rani (Thakur),J.

1. Heard learned Counsel for the applicant as well as learned Brief Holder for the State and perused the record.
2. The accused- applicant is involved in Case Crime No. 418 of 2023, under Sections 3/5/8 of the U.P. Prevention of Cow Slaughter Act, 1955, Police Station Mahmoodabad, District Sitapur.
3. It is stated by learned counsel for the applicant that the applicant is alleged to have been apprehended by the police on the spot. Co-accused is said to have absconded from the spot. Co-accused has been granted bail by a co-ordinate Bench of this Court. There is no allegation of slaughtering against him. The applicant is said to be found in possession 15 bags of suspected beef. The FSL report has not been filed yet. The applicant is languishing in jail since 04.10.2023. There is no criminal history against the applicant. Hence prayer for bail is made.
4. Learned Brief Holder for the State opposed the prayer for the bail of the applicant. It is admitted by the Brief Holder for the State that no forensic since laboratory report regarding suspected beef has been received yet.
5. The applicant is said to have apprehended along with 15 bags

of suspected beef. It is alleged that each packet recovered from the applicant was containing one kg of suspected beef. The applicant is in jail since 04.10.2023.

6. Perusing the record, considering the facts and circumstances of the case, the nature of allegations, arguments advanced by the learned counsel for the parties and without expressing any opinion on the merit of the case, I find it to be a case of bail.

7. The bail application is allowed.

7. Let the applicant - **Sufiyan**, who is involved in aforesaid crime be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions.

1. The applicant will attend and co-operate the trial proceedings pending before the court concerned on the dates fixed after release.

2. He will not tamper with the witnesses.

3. He will not indulge in any illegal activities during the bail period.

The identity, status and residential proof of sureties will be verified by the court concerned and in case of breach of any of the above conditions, the trial court shall be at liberty to cancel the bail and send the applicant to the prison.

It is clarified that the observations, if any, made in this order are strictly confined to the disposal of this bail application and must not be construed to have any reflection on the ultimate merits of the case.

Order Date :- 7.12.2023

Virendra