

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14594 of 2023

Applicant :- Saddam

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

Counsel for Applicant :- Rahul Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Shri Rahul Mishra, learned counsel for applicant and Shri Akhilesh Kumar Vyas, learned AGA for the State.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No.122 of 2022, under Sections 379 IPC and Section 3/5/8 U.P. Prevention Cow Slaughter Act, Police Station Asoha, District Unnao.
3. The aforesaid case has been registered on the basis of an FIR lodged on 08.07.2022 alleging theft of five bulls and their slaughter committed in a field. The FIR alleges that the miscreants had taken away the flesh of the bulls and some remains of the bulls' flesh was lying in the field.
4. In the affidavit filed in support of the application, it has been stated that the applicant has falsely been implicated in the present case. The applicant's involvement in two other cases has been disclosed in para 15 of the affidavit, in which he has already been granted bail and his involvement in two other cases has been disclosed by filing a supplementary affidavit, in which he has yet to apply for grant of bail.
5. Learned AGA has opposed the bail application and he submitted that the co-accused persons Sonu and Mohd. Altaf have stated about the applicant's involvement in commission of the offence.
7. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the applicant has been implicated in the present case solely based upon the custodial statement of the co-accused persons, and those co-accused persons Sonu and Altaf have been granted bail in the present case and that the applicant is languishing in jail since 14.09.2023, 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.

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

9. Let the applicant- **Saddam** be released on bail in Case Crime No.122 of 2022, under Sections 379 IPC and Section 3/5/8 U.P. Prevention Cow Slaughter Act, Police Station Asoha, District Unnao 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.

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[Subhash Vidyarthi, J.]

Order Date :- 12.12.2023

-Amit K-