

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14861 of 2023

Applicant :- Amir

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

Counsel for Applicant :- Umesh Kumar Maurya, Vikas Maurya

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Umesh Kumar Maurya, the learned counsel for the applicant, Sri Jayant Singh Tomar, learned AGA for the State and perused the records.

2. The instant application has been filed seeking release of the applicant on bail in Case Crime No.205 of 2023, under Sections 379, 428, 120B IPC and 3/ 5/ 8 of Prevention of Cow Slaughter Act, 1955, Police Station Nagam, District Lucknow.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 13.08.2023 alleging that some unknown miscreants had taken away a pair of bulls and they had slaughtered one of them and had injured the other.

4. The police claimed to have arrested a co-accused Aahat Quraishi on 21.08.2023 and it is alleged that a knife and Rs. 560/- were recovered from him and in his custodial statement, he had stated that he had slaughtered a cow progeny along with three other persons, including the applicant.

5. 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 whereas he was also in custody in connection with another case since 11.08.2023.

6. The applicant's involvement in 14 other cases has been disclosed in para 12 of the affidavit, in all of which he has been granted bail.

7. Co-accused Aahat Quraishi on the basis of whose statement the applicant has been implicated in the present case, has also been granted bail 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 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 case.

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

11. Let the applicant-***Amir*** 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 :- 16.12.2023

Pradeep/-