

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14907 of 2023

Applicant :- Shakeel Quraishi

Opposite Party :- State Of U.P. Thru. Secy. Deptt. Home, Lucknow

Counsel for Applicant :- Vinod Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Vinod Kumar, learned counsel for the applicant, Smt. Anupriya Jaiswal, the learned counsel 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. 467 of 2023, under Sections 3/5/8 of Prevention of Cow Slaughter Act, registered at Police Station Mamudabad, District Sitapur.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 12.11.2023 against three persons, including the applicant stating that on the basis of an information received by the mukhbir two persons riding a motorcycle were apprehended and some flesh of cow progenies was recovered from a sack that was kept on the motorcycle. The F.I.R. does not mention the manner of ascertainment of weight of the flesh recovered but it mentions 35 kilograms flesh has been recovered.
4. 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. The applicant's involvement in five other cases has been explained in para 11 of the affidavit, in three of which the applicant has been granted bail, in one case has has received a notice under Section 41-A Cr.P.C. and

the fifth case does not concern the applicant. The co-accused persons Shakeel and Naseem have already been granted bail by this court in the present case.

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 as the accused persons arrested along with the applicant and against whom similar case has been set up have already been granted bail and that the applicant is languishing in jail since 12.11.2023 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.

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

8. Let the **applicant-Shakeel Quraishi** 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.

(Subhash Vidyarthi, J.)

Order Date :- 18.12.2023
Ram.