

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 15256 of 2023

Applicant :- Sadik

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

Counsel for Applicant :- Sudhir Kumar Rai,Dhirendra Vikram Singh

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Sudhir Kumar Rai, learned counsel for the applicant, Sri Arpit Kumar, learned A.G.A. 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. 0339 of 2022, under Sections 377 I.P.C. and Section 11(1) Prevention of Cruelty to Animal Act, registered at Police Station Gangaghat, District Unnao.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 12.07.2022 alleging commission of bestiality by the applicant. The FIR alleges that incident was videographed by one Asad.
4. In the affidavit filed in support of bail application, it has been stated that the applicant is innocent, he has been falsely implicated in the present case and he has no criminal history.
5. The learned A.G.A. has opposed the prayer for bail but he has stated that it is recorded in the case diary that the person seen in the video could not be identified as the video was prepared in darkness.
6. Statement of Asad has not been recorded.
7. 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 crime.

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

9. Let the **applicant-Sadik** be released on bail in aforementioned 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 :- 22.12.2023
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