

Court No. - 31

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 3122 of 2024

Applicant :- Pramod Kumar

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

Counsel for Applicant :- Hari Prasad

Counsel for Opposite Party :- G.A.

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

Heard learned counsel for the applicant, learned A.G.A. both through video conferencing from Allahabad and perused the record.

This application has been moved on behalf of applicant with the prayer to release him on bail in Case Crime No.175 of 2023, under Sections 379, 429 I.P.C. and 3/5/8 Cow Slaughter Act 1955, Police Station-Nagram, District-Lucknow.

It is submitted by the learned counsel for the applicant that first information report was lodged against unknown persons. When in an other case, co-accused Aahat Quraishi was apprehended by the police, in the confessional statement of co-accused, the name of the present applicant was disclosed that the present applicant was also involved in the incident dated 09.07.2023 whereby bull of the first informant was said to had stolen from his house and the bull was alleged to be slaughtered by the applicant and other co-accused person. Co-accused Aahat Quraishi has been granted bail vide order dated 28.11.2023 passed in Criminal Misc. Bail Application No. 13979 of 2023. Criminal history of 8 cases of the applicant has been well explained and 8 bail orders are appended with the paper book. The applicant is languishing in jail since 25.09.2023, hence, the prayer for bail is made.

Learned A.G.A., however, opposed the prayer for bail and submitted that all the cases shown as criminal history relate to the heinous crimes.

From the perusal of the record, it is found that applicant is not named in the first information report. He has been named in the confessional statement of co-accused, who has already been granted bail by the co-ordinate bench of this Court. Criminal history of the applicant is found well explained. The applicant is languishing in jail since 25.09.2023.

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 fit case for granting bail to the applicant.

The bail application is allowed.

Let the applicant- ***Pramod Kumar***, 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. The applicant will not tamper with the witnesses.
3. The applicant 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 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 :- 7.5.2024

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