

Court No. - 55

Case:-CRIMINAL MISC BAIL APPLICATION No-49473 of 2018

Applicant :- Raesh

Opposite Party :- State Of U.P.

Counsel for Applicant :- Irfan Chaudhary,Irshad Ahmad,Mohammad Arshad Khan

Counsel for Opposite Party :- G.A.

Hon'ble Vikram Nath,J.

Heard Sri Anuj Gupta, learned counsel for the applicant and Sri G.P. Singh, learned AGA for the State.

Learned counsel for the applicant submitted that the applicant is in jail since 27.10.2018 and it is further stated that there is only one previous case in the year 2015 under the provisions of the Cow Slaughter Act in which the applicant is already on bail. It is next submitted that the applicant has not been assigned role of firing on the police parties. It is then submitted that co-accused- Saleem & Umar @ Amar who were assigned role of firing, has since been granted bail by order dated 29.01.2019, corrected on 28.02.2019 passed in Criminal Misc. Bail Application No. 2072 of 2019.

Without expressing any opinion on merits of the case, I am of the view that the applicant has made out a case for bail.

Let applicant- Raesh s/o Sri Rafique, be released on bail in Case Crime No. 567 of 2018, under Section 307 IPC & Section 3/5/8 U.P. Prevention of Cow Slaughter Act, 1955 & Section 11 of The Prevention of Cruelty to Animal Act, PS-Nakhasa, distt- Sambhal (Bheem Nagar), on furnishing a personal bond and two sureties each of the like amount before the court concerned subject to following conditions:-

(i) The applicant will co-operate with the trial and remain present personally on each and every date fixed after release.

(ii) The applicant will not tamper with the prosecution evidence and will not delay the disposal of trial in any manner whatsoever.

(iii) The applicant will not indulge in any unlawful activities.

(iv) The applicant will not misuse the liberty of bail in any manner whatsoever.

The identity, status and residential proof of sureties will be verified by court concerned and in case of breach of any of the conditions mentioned above, court concerned will be at liberty to cancel the bail and send the applicant to prison.

Order Date :- 30.4.2019/P Kesari

[Vikram Nath, J.]