

Govind Singh vs State Of U.P. on 2 January, 2025

Author: Ashutosh Srivastava

Bench: Ashutosh Srivastava

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Neutral Citation No. - 2025:AHC:316

Court No. - 68

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 43156 of 2024

Applicant :- Govind Singh

Opposite Party :- State of U.P.

Counsel for Applicant :- Ram Surat Patel,Santosh Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Ashutosh Srivastava,J.

Heard Shri Santosh Kumar, learned counsel for the applicant, Shri Rajesh Kumar Singh, learned AGA for the State-Respondents and perused the record.

This bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 has been moved on behalf of accused-applicant, Govind Singh, seeking enlargement on bail in Case Crime No. 196 of 2024, under Sections 3, 5A, 5B, 8 of the U.P. Prevention of Cow Slaughter Act, 1955 and Section 11 of the Prevention of Cruelty to Animals Act, 1960 and Section 325 of B.N.S., Police Station Chakiya, District Chandauli.

Learned counsel for the applicant argued that the accused-applicant is innocent and has been falsely implicated in this case crime number. The applicant is languishing in jail since 23.10.2024. Learned

counsel for the applicant submits that according to the FIR, on the information received from the Mukhbir, the Police Patrolling Party recovered 21 cattle (17 live and 4 dead) from a DCM Truck bearing Registration No. UP 86 AT 4736, which was being driven by the co-accused Gyanendra Kumar Singh and another vehicle Scorpio bearing Registration No. HR 51 AU 5657 which was being driven by the another co-accused Sonu Kumar. Learned counsel for the applicant submits that co-accused Gyanendra Kumar Singh has already been enlarged on bail by co-ordinate Bench of this Court on 20.12.2024 in Criminal Misc. Bail Application No. 43170 of 2024. The applicant has no criminal antecedent to his credit. There is no likelihood of his fleeing from course of justice or tampering with evidence in case of release on bail. Hence, bail has been prayed for.

Learned AGA has vehemently opposed, but could not dispute the fact that applicant has no criminal antecedents.

Considering all those facts and circumstances, the nature of accusations, severity of the punishment in the case of conviction and nature of supporting evidence, reasonable apprehension of tampering with the witness and prima-facie case, but without commenting on merit of case, a case for bail is made out.

Accordingly, the bail application is allowed.

Let the accused-applicant, Govind Singh, involved in above mentioned case crime number be released on bail, on his executing a personal bond and two reliable sureties each, in the like amount to the satisfaction of the court concerned, subject to the following conditions:

1. The applicant will not tamper with the evidence.
2. The applicant will not indulge in any criminal activity.
3. The applicant will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.
4. The applicant will appear regularly on each and every date fixed by the trial court, unless his personal appearance is exempted through counsel by the court concerned.

In the event of breach of any of the aforesaid conditions, the court below will be at liberty to proceed to cancel his bail.

Order Date :- 2.1.2025 Ravi Prakash (Ashutosh Srivastava, J.)