

Mohd. Imran Qureshi vs State Of U.P. And Another on 30 January, 2023

Author: Subhash Chandra Sharma

Bench: Subhash Chandra Sharma

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Court No. - 80

Case :- CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438 CR.P.C. No. - 5142 of 2022

Applicant :- Mohd. Imran Qureshi

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Nasiruzzaman, Mohit Kumar Jaiswal

Counsel for Opposite Party :- G.A.

Order Date :-

Hon'ble Subhash Chandra Sharma, J.

Heard learned counsel for the applicant as well as learned AGA for the State.

This anticipatory bail application has been filed for seeking anticipatory bail in Case Crime No. 131/2022, under Sections 420, 269, 270, 272, 273, 120B I.P.C., Police Station Kharkhauda, District Meerut.

Facts in brief are that on 31.03.2022 police party made a raid on Al Faheem Meatex Private Limited Company where the business of meat packaging and processing was being done. Ten persons were found in the compound in which they were arrested by the police and 6720 Kg raw meat and 1250 Kg bones were recovered. Samples were taken and recovery memo was prepared. Samples were sent to the laboratory for test and F.I.R. was lodged against those ten arrested accused persons and this applicant. After investigation, the charge sheet has been submitted.

It is submitted by learned counsel for the applicant that in this case, this applicant is one of the Directors of the company where raid was made by the police and other officials. It is also submitted that there is license to process the meat in the company according to which the business is conducted. It is also submitted that a separate complaint has also been filed by the concerned authority under Food Safety and Standard Act 2006 on 16.06.2022. Further submitted that the test report submitted through supplementary affidavit in which laboratory has found all the samples according to standard. In this way, no any obnoxious mixture was found in the recovered quantity of flesh and bones. During investigation interim protection was granted by this Court and now investigation has been completed but this applicant never misused the liberty granted by this Court in his favour. So, no any kind of offence is made out against the applicant. Now, in pursuance of process of the Court there is apprehension of imminent arrest against the applicant, so, requested for anticipatory bail.

Learned AGA for the State opposed the prayer as aforesaid but acceded the fact that in lab test report all the samples were found as per standard parameters as prescribed under the Act.

On considering the facts and circumstances of the case submissions made by learned counsel for the applicant as well as learned A.G.A. for the State and perusal of record without making any comment on the merit of the case, let the applicant be granted anticipatory bail till the pendency of trial.

The applicant- Mohd. Imran Qureshi, shall be released on anticipatory bail on furnishing a personal bond with two sureties each in the like amount to the satisfaction of the court concerned with the following conditions:-

- (i) The applicant shall appear before the learned court everyday when case is fixed except exempted;
- (ii) The applicant shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade from disclosing such facts to the Court or to any police office;
- (iii) The applicant shall not leave India without the previous permission of the Court and if he has passport, the same shall be deposited by him before the S.S.P./S.P. concerned.

In default of any of the conditions, this order will automatically stand vacated.

Order Date :- 30.1.2023 Suraj Srivastav