



2026:AHC:17281

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 39859 of 2025

Arun

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s) : Arvind Kumar Sahu, Praveen Kumar
Srivastava

Counsel for Opposite Party(s) : G.A.

Court No. - 68

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard learned counsel for the applicant, Sri S. K. Rai, learned AGA for the State-Respondent and perused the record.

This bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 has been moved on behalf of the accused-applicant seeking enlargement on bail in Case Crime No. 0049 of 2025, under Sections 3/5/8(Ka) of the Cow Slaughter Act, Police Station Niwari, District Ghaziabad.

Learned counsel for the applicant argued that the accused-applicant is innocent. He has been falsely implicated in this very case crime number and is languishing in jail since 12.04.2025. He submits that the applicant is not named in the FIR and his name was surfaced during the course of investigation in the confessional statement of the co-accused. He submits that nothing incriminating material has been recovered from the possession of the applicant. He submits that the applicant is not involved in the business of slaughtering of animals and he has been implicated in the present case due to ulterior motive. Learned counsel for the applicant submits that in the present case charge sheet has already been filed by the Investigating Officer on 29.05.2025 and cognizance has also been taken by the court concerned on 06.06.2025, as such the applicant is no more required for any further custodial interrogation. Learned counsel for the applicant submits that similarly circumstanced co-accused Shadab, Savej, Jameel and Shaan Mohammad have already been enlarged on bail by the Court vide orders

dated 7.11.2025 25.09.2025, 22.09.2025, 29.10.2025 passed in Criminal Misc. Bail Application Nos. 22659 of 2025, 20898 of 2025, 24504 of 2025 and 22280 of 2025 respectively. He submits that the applicant has criminal antecedent of 12 cases to his credit, which has been explained in the supplement affidavit. He further submits that 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.

Per contra learned A.G.A. has opposed the prayer for bail of the applicant, but could not dispute the aforesaid fact.

Considering all above 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, **Arun**, 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.

January 27, 2026

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(Ashutosh Srivastava,J.)