



2026:AHC:61887

HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No.
- 10359 of 2025**

Vimlesh Kumar Yadav

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Pradeep Kumar Mishra
Counsel for Opposite Party(s)	:	G.A.

Court No. - 72

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Supplementary affidavit filed today is taken on record.
2. Heard Sri Pradeep Kumar Mishra, learned counsel for the applicant and Sri Surendra Singh, learned A.G.A. for the State as well as perused the record.
3. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No. 148 of 2012, under Section 3/5A/8 of Cow Slaughter Act and 11 of Animal Cruelty Act, Police Station- Chakia, District-Chandauli, with a prayer to enlarge him on anticipatory bail, during the pendency of trial.
4. Learned counsel for the applicant states that the applicant has been falsely implicated in the present case. The applicant is said to be the owner of the vehicle which is being used to transport the livestock and no meat or carcass has been recovered from the possession or the pointing out of the applicant or the co-accused. The applicant submits that he was unaware of the filing of the charge sheet and it is only quite recently that the applicant came to know regarding the pendency of the proceedings which led him to file an application before the Sessions Judge for seeking anticipatory bail which was rejected vide order dated 16.10.2025 and thereafter, this application has been moved before this Court on 04.12.2025.

5. The learned A.G.A. has opposed the prayer for anticipatory bail and has submitted that charge sheet in the present case has been filed on 05.01.2013 on which cognizance was taken on 22.05.2013. Since 2013, the applicant has not appeared before the concerned court.

6. Rejoining the issue, learned counsel for the applicant states that he has filed a second supplementary affidavit annexing therewith the certified copy of the order sheet which indicates from 22.05.2013 till 22.12.2022, the order sheet was not prepared of the case. It is thereafter on the orders of the District Judge that the matter was put up before the concerned Judicial Magistrate, Chakia, District Chandauli, who has then issued summons to the applicant for appearance. Learned counsel contends that till date the summons are being issued against the accused and no warrants or proclamation under Section 82 or 83 Cr.P.C. have been made till date.

7. The learned A.G.A. has then contended that applicant has criminal antecedents of seven cases in which there are two other cases under the Cow Slaughter Act. This shows the applicant's propensity to repeat the crime and no indulgence may be granted to him.

8. Learned counsel for the applicant rejoining the issue submits that the applicant has been falsely implicated in the criminal cases under the Cow Slaughter Act, which have been lodged after the applicant's implication in the present case. He is not a previous convict and the criminal history has been duly explained.

9. I have heard the submissions made by learned counsel for the parties. A perusal of the record indicates that the applicant is said to be the owner of Pickup No. UP63T2335 which was being used to transport seven calves. The applicant though was chargesheeted in the year 2013, however perusal of the order sheet indicates that from 2013 till 2022, the order sheet of the case was not maintained and no summons were issued to the applicant. A perusal of the certified copy of the order sheet indicates that even till 17.02.2026, which is last order passed, there is no satisfaction recorded regarding the service of the summons on the applicant. The co-accused Ajay Yadav, who was arrested from the spot has been granted

regular bail by the concerned court, however the said co-accused has died during the pendency of the proceedings.

10. Taking into consideration the entire facts and circumstances of the case, especially the fact that the instant case is of the year 2013 and the order sheet of this case was not maintained for a period of almost nine years, I deem it appropriate to grant anticipatory bail to the applicant till the pendency of his trial before the concerned court.

11. In view of the above, the anticipatory bail application of the applicant is **allowed**.

12. In the event of the arrest of the applicant- **Vimlesh Kumar Yadav**, he shall be released forthwith in the aforesaid case crime on anticipatory bail on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the Station House Officer of the police station/Court concerned with the following conditions:-

- i. the applicant shall make himself available for interrogation by a police officer as and when required;
- ii. that 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 him from disclosing such facts to the Court or to any police officer;
- iii. that the applicant shall not leave India without the previous permission of the Court;
- iv. that the applicant shall not pressurize/intimidate the prosecution witness;

13. In case of breach of any of the above conditions, the Court concerned shall be at liberty to cancel the bail.

14. It is made clear that observations made hereinabove are exclusively for deciding the instant anticipatory bail application and are not to be

considered to be an opinion on the merits of the case.

(Rajiv Lochan Shukla,J.)

March 24, 2026
Kirti