
(2023) 10 UK CK 0016

In the Uttarakhand High Court

Case No : Anticipatory Bail Application No. 899 Of 2023

Abrar Alias Monty

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

Date of Decision : 05-10-2023

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 438

Uttarakhand Protection Of Cow Progeny Act, 2007 — Section 3, 5, 11

Citation : (2023) 10 UK CK 0016

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Mohd. Safdar, M.K. Chand

Final Decision : Disposed Of

Judgement

Alok Kumar Verma, J

1. Applicant has filed the present Application under Section 438 of the Code of Criminal Procedure, 1973 for grant of Anticipatory Bail in connection with the Case Crime No. 547 of 2023 registered at police station Gangnagar Roorkee, District Haridwar under Sections 3/5/11 of the Uttarakhand Protection of Cow Progeny Act, 2007.

2. As per the First Information Report dated 24.09.2023 informant Sunil Ramola, Sub-Inspector, was busy in maintaining the peace and order. On a secret information, he along with other police personnel raided the spot. There were four persons present at the spot. Seeing the police party, all the four persons, present at the spot, ran away calling each other's name. Police party recovered 180 Kg of beef, one axe, two knives and other articles from the spot.

3. Heard Mr. Mohd. Safdar, learned counsel for the applicant and Mr. M.K. Chand, learned A.G.A. for the State.

4. Mr. Mohd. Safdar, Advocate, contended that the applicant is an innocent

person. He has been falsely implicated in the present matter. He has no criminal history. He was not present on the spot. He is a permanent resident of District Haridwar, therefore, there is no chance of his absconding, and, the said offences are triable by Magistrate.

5. On the other hand, Mr. M.K. Chand, A.G.A., has opposed the Anticipatory Bail Application.

6. In the facts and circumstances of the case, applicant- Abrar alias Monty is directed to be released on Anticipatory Bail, in the event of his arrest, on furnishing his personal bond of Rs. 30,000/- and two reliable sureties, each in the like amount on the following conditions:-

(i) Applicant shall not directly or indirectly make any inducement, threat or promise to any person, acquainted with the facts of this case;

(ii) Applicant shall cooperate with the Investigating Agency and he shall make himself available at the time of interrogation by the Investigating Agency as and when required;

(iii) Applicant shall not leave the country without previous permission of the Trial Court.

7. It is clarified that if the applicant misuses or violates any of the conditions, imposed upon him, the concerned authority will be free to move the Court for cancellation of the anticipatory bail.

8. The Anticipatory Bail Application (No. 899 of 2023) stands disposed of accordingly.