

(2024) 01 UK CK 0100

In the Uttarakhand High Court

Case No : Anticipatory Bail Application No. 70 Of 2024

Ateek Ahmed

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

Date of Decision : 17-01-2024

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 438

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

Citation : (2024) 01 UK CK 0100

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Gaurav Singh, B.C. Joshi

Final Decision : Disposed Of

Judgement

Alok Kumar Verma, J

1. Present Application has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of Anticipatory Bail under Sections 3/ 5/ 11 of the Uttarakhand Protection of Cow Progeny Act, 2007 in connection with the Case Crime No.852 of 2021, registered at police station Manglour, District Haridwar.

2. Heard Mr. Gaurav Singh, learned counsel for the applicant and Mr. B.C. Joshi, learned A.G.A. for the State.

3. Learned counsel for the State has opposed the Anticipatory Bail Application orally and submitted that on 09.09.2021, 632 Kg. of beef along with other articles were recovered from the spot. A co-accused, namely, Furkan was arrested. Two co-accused managed to escape from the spot. Co-accused Furkan disclosed the name of the present applicant.

4. Mr. Gaurav Singh, Advocate, contended that the applicant has been falsely implicated by the co-accused Furkan. He was not present at the spot. Nothing was recovered from his possession. He is not a previous convict. He is a

permanent resident of District Haridwar, therefore, there is no chance of his absconding.

5. In the facts and circumstances of the case, applicant-Ateek Ahmed 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 cooperate with the Investigating Agency and he shall make himself available at the time of interrogation by the Investigating Agency as and when required;

(ii) In case, charge-sheet is filed, applicant shall attend the Trial court regularly and he shall not seek any unnecessary adjournment;

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

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

6. 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.

7. Anticipatory Bail Application (No.70 of 2024) stands disposed of accordingly.