

(2024) 01 UK CK 0095

In the Uttarakhand High Court

Case No : Anticipatory Bail Application No. 66 Of 2024

Momeen

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

Date of Decision : 16-01-2024

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 438
Uttarakhand Protection Of Cow Progeny Act, 2007 — Section 3, 5, 11
Prevention Of Cruelty To Animals Act, 1960 — Section 3, 11

Citation : (2024) 01 UK CK 0095

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Pranav Singh, Manisha Rana Singh

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 and Section 3 read with Section 11 of the Prevention of Cruelty to Animals Act, 1960 in connection with the Case Crime No.526 of 2023, registered at police station Bhagwanpur, District Haridwar.

2. As per the First Information Report dated 30.07.2023, the police party raided the spot and recovered 210 Kg of beef alongwith other articles. Co-accused Muntuyaj was arrested. The name of the present applicant and the co-accused-Kala has come into the light in the confessional statement of the co-accused-Muntuyaj.

3. Heard Mr. Pranav Singh, learned counsel for applicant and Ms. Manisha Rana Singh, learned A.G.A. for State.

4. Mr. Pranav Singh, Advocate, contended that the applicant has been falsely

implicated in the present matter. Nothing was recovered from his possession. He is not a previous convict, and, a co-accused, namely Mohd. Khursheed has been granted Anticipatory Bail by this Court.

5. Learned counsel for the State has opposed the Anticipatory Bail Application orally.

6. In the facts and circumstances of the case, applicant-Momeen 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.

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. Anticipatory Bail Application (No.66 of 2024) stands disposed of accordingly.