

HIGH COURT OF UTTARAKHAND AT NAINITAL

Anticipatory Bail Application No. 1076 of 2023

Amil @ Guddu

...Applicant

Versus

State of Uttarakhand

....Respondent

Present:-

Mr. Faizan Ali and Mr. Ravi Bisht, Advocates for the applicant.
Mr. Vipul Painuly, Brief Holder for the State.

Hon'ble Ravindra Maithani, J. (Oral)

Applicant seeks anticipatory bail in Case Crime No.123 of 2023, under Section 3/5/11(1) of the Uttarakhand Protection of Cow Progeny Act, 2007, Police Station Pulbhatta, District Udham Singh Nagar.

3. Heard learned counsel for the parties and perused the record.

4. According to the FIR, on 22.06.2023, police recovered beef and other articles from the co-accused, who had then revealed that they were taking the beef to the shop of the applicant, who is a seller.

5. It is the case of the applicant that nothing was recovered from him; merely based on the statement of the co-accused, he has been implicated.

6. Learned State Counsel would submit that no separate objection is required to be filed, as such, but he would submit that the co-accused revealed it to the police

that they were taking the beef to the shop of the applicant, who is a seller.

7. Having considered, this Court is of the view that this is a case, in which the applicant should be granted anticipatory bail. The instant anticipatory bail application deserves to be allowed.

8. The anticipatory bail application is allowed.

9. In the eventuality of arrest, the applicant shall be enlarged on bail on his furnishing a personal bond with two sureties, each in the like amount, to the satisfaction of the Investigating Officer ("IO"). In addition to it, the applicant shall also comply with the following conditions:-

- (i) The applicant shall co-operate with the investigation.
- (ii) The applicant shall not approach any witness in any manner, whatsoever.
- (iii) The applicant shall not leave the country without prior permission of the IO.
- (iv) The applicant shall deposit his passport with the IO. The passport may only be returned by the order of the court concerned. In case the applicant does not have passport, he shall give an undertaking to that effect to the IO.

- (v) The applicant shall also give an undertaking on (i),
(ii) & (iii) above.

(Ravindra Maithani, J.)
30.11.2023

Ravi Bisht