



2025:UHC:10943

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL
THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

10th DECEMBER, 2025

ANTICIPATORY BAIL APPLICATION NO. 1247 of 2025

Subahan ...Applicant

Versus

State of Uttarakhand ...Respondent

Counsel for the Applicant : Mr. Mohd. Safdar, Advocate.

Counsel for the Respondent : Mr. Tumul Nainwal, Assistant
Government Advocate with Mr.
Chitrarth Kandpal, Brief Holder.

Hon'ble Alok Kumar Verma,J.

This Application for anticipatory bail has been filed in Case Crime No. 322 of 2025, registered at Police Station Jhabrera, District Haridwar under Section 3, Section 5 read with Section 11 of the Uttarakhand Protection of Cow Progeny Act, 2007.

2. The Anticipatory Bail Application of the applicant has been rejected by the learned Ist Additional District and Sessions Judge, Roorkee, District Haridwar on 01.12.2025.

3. According to the First Information Report dated 07.11.2025, the police received a secret information on 06.11.2025 that Nawaj Khan, Shamshad, Irtaza alias Dhaba, Subhan, Abbas and Azim are slaughtering a cow. The police raided the spot. They noticed that six persons were present on the spot. Seeing the police, they managed to escape from the spot. The police recovered 200 kg. beef and



other articles from the spot.

4. Heard Mr. Mohd. Safdar, learned counsel for the applicant and Mr. Tumul Nainwal, learned Assistant Government Advocate for the respondent.

5. Mr. Mohd. Safdar, Advocate, contended that the applicant has been falsely implicated by the police. He was not present on the spot. The place of recovery does not belong to him. There was no independent witness of the alleged recovery which creates serious doubt on the story of the police. Applicant is not a convicted person. He is a permanent resident of District Haridwar, therefore, there is no possibility of his absconding.

6. Mr. Tumul Nainwal, Assistant Government Advocate, has opposed the anticipatory bail application orally.

7. Personal liberty under Article 21 of the Constitution of India is very precious fundamental right and it should be curtailed only when it becomes imperative according to the peculiar facts and circumstances of the case.

8. Having heard the submissions of learned counsel for the parties and keeping in view of the facts and circumstances of the case, the present Application, filed for anticipatory bail, is allowed. It is directed that in the event of arrest of the applicant Subahan, he shall be



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released on anticipatory bail on executing a personal bond of Rs. 30,000/ - and two reliable sureties, each of the like amount, to the satisfaction of the Arresting Officer, subject to the following conditions: -

- (i) Applicant shall cooperate with the Investigating Agency and he shall make himself available for interrogation by a police officer as and when required;
- (ii) If the charge-sheet is filed, the 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.

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

ALOK KUMAR VERMA, J.

Dt: 10.12.2025
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