



2025:UHC:10987

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

10TH DECEMBER, 2025

FIRST BAIL APPLICATION NO. 2394 of 2025

Shamshad

....Applicant

Versus

State of Uttarakhand

....Respondent

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

Counsel for the Respondent : Mr. Chitrarth Kandpal, Brief Holder.

Hon'ble Alok Kumar Verma, J.

The applicant – Shamshad is in judicial custody for the offence punishable under Section 3, Section 5 read with Section 11 of the Uttarakhand Protection of Cow Progeny Act, 2007 in Case Crime No.322 of 2025, registered at Police Station Jhabrera, District Haridwar.

2. As per the First Information Report dated 07.11.2025, the police received a secret information on 06.11.2025 that Nawaz Khan, Shamshad (applicant), 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.

3. Heard Mr. Mohd. Safdar, learned counsel for the applicant and Mr. Chitrarth Kandpal, learned Brief Holder for the State.



4. Mr. Mohd. Safdar, Advocate, for the applicant contended that the applicant was not present on the spot. He has been falsely implicated by the police. Nothing was recovered from his possession. He was not arrested on the spot. He was arrested on 08.11.2025. He is not a convicted person. He is a permanent resident of District Haridwar, therefore, there is no possibility of his absconding, and, four co-accused persons of similar role have already been granted anticipatory bail by this Court.

5. Learned counsel for the State has opposed the bail application orally.

6. Bail is the rule and committal to jail is an exception. Refusal of bail is a restriction on the personal liberty of the individual, guaranteed under Article 21 of the Constitution of India. The object of keeping the accused person in detention during the investigation is not punishment. The main purpose is manifestly to secure the attendance of the accused.

7. Having considered the submissions of learned counsel for both the parties and in the facts and circumstances of the case, no reason is found to keep the applicant behind the bars for an indefinite period, therefore, without expressing any opinion as to the merits of the case, this Court is of the view that the applicant deserves bail at this stage.

8. The Bail Application is allowed.



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9. Let the applicant – Shamshad be released on bail on his executing a personal bond and furnishing two reliable sureties, each in the like amount, to the satisfaction of the court concerned.

ALOK KUMAR VERMA, J.

Dt: 10.12.2025
Pant/