



2026:UHC:644

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Anticipatory Bail Application No.26 of 2026

Usman & Another

..... Applicants

Vs.

State of Uttarakhand

..... Respondent

Present:

Mr. Mohd. Safdar, learned counsel for the applicants
Mr. Sandeep Sharma, learned A.G.A. for the State

Hon'ble Subhash Upadhyay, J.

This is an anticipatory bail application moved by the applicants/accused Usman and Savej in Case Crime No.154 of 2025 under Section 3 and 5 r/w Section 11 of Uttarakhand Protection of Cow Progeny Act, 2007, P.S. Kotwali Gangnagar, District Haridwar.

2. As per the allegations made in the FIR, information was received at P.S. Kotwali Gangnagar that Aas Mohammad, Salman and the present applicants/accused, after slaughtering a cow, are making pieces of beef for the purpose of selling it. Acting upon the said information, the police conducted a raid at the spot, however, some persons who could not be recognized, managed to flee from the spot.

3. Learned counsel for the applicants/accused submits that the applicants/accused are not named in the FIR and that the applicants/accused have been falsely implicated in the instant case and have been made scapegoat. He further submits that there is no independent witness of the alleged incident and recovery, which creates serious doubt over the prosecution story. That apart, learned counsel for the applicants/accused submits that co-accused persons, namely, Aas Mohammad and Salman, who were arrested by the police and assigned the same role, have been granted bail by Coordinate Bench of this Court in BA1 No.84 of 2026, vide order dated 16.01.2026, thereby entitling the applicants to parity.

4. Learned State Counsel would oppose the anticipatory bail application stating that *prima-facie* case is made out against the applicants/accused and that a recovery of 380 kg of beef and equipments used for slaughtering and a motorcycle was recovered from the spot, however, he does not dispute the fact that the applicants are not named in the FIR and that co-accused persons have been already been granted bail by this Court.

5. Considering the entire conspectus of things and without expressing any opinion on the merits of the case, this Court is of the view that the applicants have made out a case for anticipatory bail. Accordingly, anticipatory bail application is allowed. It is directed that, in the eventuality of arrest, the applicants shall be enlarged on bail on their furnishing a personal bond in the sum of ₹ 25,000/- with two sureties, each in the like amount, by each one of them, to the satisfaction of the Investigating Officer ("IO"). In addition to it, the applicants shall also comply with the following conditions:-

- (i) The applicants shall co-operate in the investigation.
- (ii) The applicants shall not approach any witness/victim in any manner, whatsoever.
- (iii) The applicants shall not leave the country without prior permission of the concerned court.
- (iv) The applicants shall deposit their passport with the Investigating Officer ("IO"). The passport may only be returned by the order of the court concerned. In case the applicants do not have

passport, they shall give an undertaking to that effect to the IO.

(v) The applicants shall also give an undertaking on above-stated condition no.(i), (ii) & (iii).

(vi) It is made clear that, in case, applicants misuse or violate any of the conditions imposed upon them, the prosecuting agency will be free to move the Court for cancellation of the Anticipatory Bail.

(Subhash Upadhyay, J.)
27.01.2026

Rajni

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