IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

12TH NOVEMBER, 2025

FIRST BAIL APPLICATION NO.2169 of 2025

Soban .....Applicant

Versus

State of Uttarakhand .....Respondent

Counsel for the Applicant : Mr. Susheel Kumar, Advocate holding brief of Mr. Gaurav Singh, Advocate.

Counsel for the Respondent : Mr. Pradeep Lohani, Brief Holder.

Hon'ble Alok Kumar Verma,J.

Applicant- Soban 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.405 of 2025, registered at Police Station Bahadrabad, District Haridwar.

2. According to the First Information Report, the police intercepted Indigo Car No.UP32CP-6433. The co-accused Gul Mohammad was driving the said car. Applicant was sitting in the said car. The police recovered 300 kg. beef from the car. The applicant was

arrested.

3. Heard Mr. Susheel Kumar, learned counsel for the applicant and Mr. Pradeep Lohani, learned Brief Holder for the respondent.

4. Mr. Susheel Kumar, Advocate appearing for the applicant, contended that the applicant is an innocent person. He has been falsely implicated by the police. The alleged beef was not recovered from his possession. The said recovery was planted. There was no independent witness at the time of the alleged recovery. Applicant has no criminal antecedents. He is a permanent resident of District Saharanpur, Uttar Pradesh, therefore, there is no possibility of his absconding.

5. Mr. Pradeep Lohani, learned Brief Holder, 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.

9. Let the applicant- Soban 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.

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ALOK KUMAR VERMA, J.

Dt:12.11.2025
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