

Tanzeem Vs State Of Uttarakhand

Anticipatory Bail Application No. 718 Of 2023

Court: Uttarakhand High Court

Date of Decision: Aug. 23, 2023

Acts Referred:

Code Of Criminal Procedure, 1973 â€” Section 438#Uttarakhand Protection Of Cow Progeny Act, 2007 â€” Section 3, 5, 11#Constitution Of India, 1950 â€” Article 21

Hon'ble Judges: Alok Kumar Verma, J

Bench: Single Bench

Advocate: Pranav Singh, Manisha Rana Singh

Final Decision: Disposed Of

Judgement

Alok Kumar Verma, J

1. Applicant-accused Tanzeem has filed the present Application under Section 438 of the Code of Criminal Procedure, 1973 for grant of Anticipatory

Bail under Section 3/5/11 of the Uttarakhand Protection of Cow Progeny Act, 2007 in connection with Case Crime No.353 of 2023, registered at

police station Jhabreda, District Haridwar.

2. As per the FIR, informant Manoj Kumar, Sub-Inspector, along with other police personnel was busy in patrolling duty on 15.06.2023. They raided

the spot on a secret information. Four persons were present on the spot. Seeing the police, they managed to escape form the spot at about 21:30 hrs.

The police party recognized the present applicant. They recovered 270 Kg. beef, cutting tools and other articles from the spot.

3. Mr. Pranav Singh, Advocate, contended that the applicant has been falsely implicated in the present matter. He was not present on the spot.

Nothing was recovered from his possession. He has no criminal history, and, he is a permanent resident of District Haridwar, therefore, there is no

chance of his absconding.

4. On the other hand, Mrs. Manisha Rana Singh, A.G.A. has opposed the Anticipatory Bail Application orally.

5. 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.

6. In the facts and circumstances of the case, it is directed that in the event of arrest of the applicant Tanzeem, he will be released on Anticipatory

Bail on furnishing his personal bond of Rs. 30,000/- and two reliable sureties, each in the like amount, to the satisfaction of the Investigating

Officer/Arresting Officer with the following conditions:-

(i) Applicant shall not directly or indirectly make any inducement, threat or promise to any person, acquainted with the facts of this case;

(ii) Applicant shall cooperate with the Investigating Agency and he will make himself available at the time of interrogation by the Investigating Agency

as and when required;

(iii) Applicant shall not leave the country without previous permission of the Trial Court.

7. It is clarified that if the applicant misuses or violates any of the conditions, imposed upon him, the concerned authority will be free to move the

Court for cancellation of the anticipatory bail.

8. Anticipatory Bail Application (No.718 of 2023) stands disposed of accordingly.