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**(2024) 11 UK CK 0017**

**Uttarakhand High Court**

**Case No:** Anticipatory Bail Application No. 1081 Of 2024

Shajev And Another

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

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**Date of Decision:** Nov. 7, 2024

**Acts Referred:**

- Uttarakahnd Protection Of Cow Progeny Act, 2007 - Section 3, 5, 11(1)

**Hon'ble Judges:** Ravindra Maithani, J

**Bench:** Single Bench

**Advocate:** Anuj Sing Kunjwal, V.S. Rawat

**Final Decision:** Allowed

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**Judgement**

Ravindra Maithani, J

1. Applicants- Shajev and Mohd. Tazim seek anticipatory bail in FIR No.0420 of 2024, under Sections 3/5/11(1) of the Uttarakahnd Protection of Cow

Progeny Act, 2007, Police Station Kichha, District Udham Singh Nagar.

2. Heard learned counsel for the parties and perused the record.

3. According to the FIR, on 20.10.2024, police got information that some persons are slaughtering a cow. When the police reached at the place, they

spotted two persons in the night, but those persons, sensing fear, managed to escape. The FIR records that the Police Constables could recognize

them. Police recovered beef and other articles.

4. It is the case of the applicants that nothing was recovered from them; they were not identified; there is no independent witness; they are not

previous convict.

5. Learned State Counsel would submit that no separate objection is required to be filed, as such. The anticipatory bail application may be decided

based on the material available on record. He would submit that when the police reached at the spot, the applicants managed to escape.

6. Having considered, this Court is of the view that this is a case, in which the applicants should be granted anticipatory bail. The instant anticipatory bail application deserves to be allowed.

7. The anticipatory bail application is allowed.

8. In the eventuality of arrest, the applicants shall be enlarged on bail on their furnishing a personal bond with two sureties, each in the like amount, by

each one of them, to the satisfaction of the Arresting Officer (‘‘AO’’). In addition to it, the applicants shall also comply with the following

conditions:-

(i) The applicants shall co-operate with the investigation.

(ii) The applicants shall not approach any witness in any manner, whatsoever.

(iii) The applicants shall not leave the country without prior permission of the court concerned.

(iv) The applicants shall deposit their passports with the AO. The passports 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 AO.

(v) The applicants shall also give an undertaking on (i), (ii) & (iii) above.