

(2025) 12 UK CK 0044

Uttarakhand HC

Case No: Anticipatory Bail Application No. 1233 Of 2025

Shadab

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

Date of Decision: Dec. 8, 2025

Acts Referred:

- Uttarakhand Protection Of Cow Progeny Act, 2007 - Section 3, 5, 11
- Bharatiya Nyaya Sanhita, 2023 - Section 109(1)
- Arms Act, 1959 - Section 3, 25
- Constitution Of India, 1950 - Article 21

Hon'ble Judges: Alok Kumar Verma, J

Bench: Single Bench

Advocate: Rajveer Singh, Sweta Badola Dobhal

Final Decision: Allowed

Judgement

Alok Kumar Verma, J

1. This Application has been filed for anticipatory bail in Case Crime No.139 of 2025, registered at Police Station Kaliyar Sharif, District Haridwar under Section 3, Section 5 read with Section 11 of the Uttarakhand Protection of Cow Progeny Act, 2007, Section 109(1) of the Bharatiya Nyaya Sanhita, 2023 and Section 3 read with Section 25 of the Arms Act, 1959.

2. According to the First Information Report dated 13.05.2025, an information was received by the Station House Officer from Sub-Inspector Pushkar Singh that some persons, after slaughtering the cow and after firing on the police party, ran away towards field / forest. The Station House Officer reached the spot and recovered 200 kg. beef and other articles. The police searched the said persons. Again, they opened fired on the police. One co-accused Naushad was arrested and one country made pistol was recovered. Co-accused Naushad told the police that Shadab (present applicant), Vasim and Lambu alias Monu were also present who fled from the spot.

3. The Anticipatory Bail Application has been rejected by the learned Ist Additional Sessions Judge, Roorkee, District Haridwar on 14.11.2025.
4. Heard Mr. Rajveer Singh, learned counsel for the applicant and Mrs. Sweta Badola Dobhal, learned Brief Holder for the respondent.
5. Mr. Rajveer Singh, Advocate, contended that the applicant was not present on the spot. He has been falsely implicated by the co-accused Naushad. Nothing was recovered from the possession of the applicant. He is not a convicted person. He is a permanent resident of District Haridwar, therefore, there is no possibility of his absconding, and, Vasim, the co-accused of the similar role, has already been granted anticipatory bail by this Court in Anticipatory Bail Application No. 511 of 2025.
6. Mrs. Sweta Badola Dobhal, Brief Holder, has opposed the anticipatory bail application orally.
7. 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.
8. Having heard the submissions of learned counsel for the parties and keeping in view of the facts and circumstances of the case, the present Application, filed for anticipatory bail, is allowed. It is directed that in the event of arrest of the applicant Shadab, he shall be released on anticipatory bail on executing a personal bond of Rs. 30,000/- and two reliable sureties, each of the like amount, to the satisfaction of the Arresting Officer, subject to the following conditions: -
 - (i) Applicant shall cooperate with the Investigating Agency and he shall make himself available for interrogation by a police officer as and when required;
 - (ii) If the charge-sheet is filed, the applicant shall attend the trial court regularly and he shall not seek any unnecessary adjournment;
 - (iii) Applicant shall not directly or indirectly make any inducement, threat or promise to any person, acquainted with the facts of this case;
 - (iv) Applicant shall not leave the country without the previous permission of the trial court.
9. It is clarified that if the applicant misuses or violates any of the conditions, imposed upon him, the prosecution agency will be free to move the Court for cancellation of the anticipatory bail.