

(2025) 12 UK CK 0032

Uttarakhand HC

Case No: Anticipatory Bail Application No. 978 Of 2025

Alisher

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

Date of Decision: Dec. 9, 2025

Acts Referred:

- Wild Life (Protection) Act, 1972 - Section 2, 9, 39, 50, 51
- Constitution Of India, 1950 - Article 21

Hon'ble Judges: Alok Kumar Verma, J

Bench: Single Bench

Advocate: Susheel Kumar, Pradeep Lohani

Final Decision: Allowed

Judgement

Alok Kumar Verma, J

1. This Application has been filed for anticipatory bail in RC No.21 Khanpur/2025-26/C-17 No.10/Khanpur/2025-26, registered at Range-Khanpur, Forest Division Haridwar under Sections 2, 9, 39, 50 and Section 51 of the Wild Life (Protection) Act, 1972.

2. According to the respondent, raw meat of peacock and cooked meat of chital were recovered. Co-accused Khursheed was arrested. One person managed to escape from the spot. The name of the present applicant has come to light in the statement of the arrested accused.

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 submitted that the applicant was not present on the spot. He has been falsely implicated in the present matter. Applicant is not a convicted person. He is a permanent resident of District Haridwar, therefore, there is no possibility of his absconding. He was granted interim bail on 27.08.2025, and, the conditions of interim bail have not been violated by him.

5. Mr. Pradeep Lohani, learned Brief Holder, has opposed the anticipatory bail application.

6. 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.

7. Having heard the submissions of learned counsel for the parties and keeping in view of the facts and circumstances of the case, without commenting on the merits of the case, the present Application, filed for anticipatory bail, is allowed and order dated 27.08.2025, granting interim bail to the applicant, is made absolute. It is directed that in the event of arrest of the applicant Alisher, 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 concerned authority.

(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 not leave the country without the previous permission of the trial Court.

8. It is made clear 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.