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IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

27TH MARCH, 2025

ANTICIPATORY BAIL APPLICATION NO.1276 of 2024

SumitApplicant

Versus

State of UttarakhandRespondent

Counsel for the Applicant : Mr. Mohd. Safdar,
Advocate.

Counsel for the State : Mr. G.S. Sandhu,
Additional Advocate
General assisted by
Mr. Deepak Bhardwaj,
Brief Holder.

Hon'ble Alok Kumar Verma,J.

The present Application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed by the applicant-Sumit seeking anticipatory bail under Section 307 and Section 120B of the Indian Penal Code, 1860 in Case Crime No.530 of 2022, registered at Police Station Manglaur, District Haridwar.

2. Heard Mr. Mohd. Safdar, learned counsel for applicant and Mr. G.S. Sandhu, learned Additional Advocate General for State.

3. Mr. Mohd. Safdar, Advocate, submitted that



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the applicant has been falsely implicated in the present matter. He was not present on the spot. He is not named in the First Information Report. He is not a previous convict. He is a permanent resident of District Haridwar, therefore, there is no chance of his absconding. Charge-sheet has already been filed, therefore, there is no chance of tampering with the evidence. Co-accused Julfikar alias Billa and Sharukh have been granted regular bail by the Court of Session, Haridwar, and, applicant was granted interim bail by the coordinate Bench of this Court on 24.12.2024 and the conditions of the interim bail have not been violated by him.

4. Mr. G.S. Sandhu, learned Additional Advocate General appearing for the State, on instructions, 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. 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



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the merits of the case, the present Application, filed for anticipatory bail, is allowed and order dated 24.12.2024, granting interim bail to the applicant, is made absolute. It is directed that in the event of arrest of the applicant, namely, Sumit, 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 attend the trial court regularly and he shall not seek any unnecessary adjournment;
- (ii) Applicant shall not directly or indirectly make any inducement, threat or promise to any person, acquainted with the facts of this case;
- (iii) Applicant shall not leave the country without the previous permission of the trial court.

7. 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.

ALOK KUMAR VERMA, J.

Dt: 27.03.2025
Neha