



**HIGH COURT OF UTTARAKHAND AT NAINITAL**

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

**05<sup>TH</sup> SEPTEMBER, 2024**

**ANTICIPATORY BAIL APPLICATION NO.833 OF 2024**

Gurjigar Singh and two Others ...Applicants

Versus

State of Uttarakhand ...Respondent

Counsel for the Applicants : Mr. Mani Kumar, Advocate.

Counsel for the State : Mr. V.K. Jemini,  
Deputy Advocate General  
assisted by Mr. Rakesh Negi,  
Brief Holder.

**Hon'ble Alok Kumar Verma, J.**

The present Application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed for Anticipatory Bail in connection with the First Information Report No.228 of 2024, registered at police station Gadarpur, District Udham Singh Nagar.

2. Heard Mr. Mani Kumar, learned counsel for the applicants and Mr. V.K. Jemini, learned Deputy Advocate General assisted by Mr. Rakesh Negi, learned Brief Holder for the State.

3. Mr. V.K. Jemini, learned counsel for the State has submitted on instruction, received from the Investigating Officer, that the offence is being investigated under Sections 115(2), 117(2), 191(2), 351(2), 352 and Section 118 of the Bharatiya Nyaya Sanhita, 2023.

4. As per the First Information Report dated 30.08.2024, the applicants had abused and assaulted with lathi and danda on 28.08.2024, due to which injured Rajat



Kumar's hand was broken.

5. Mr. Mani Kumar, Advocate has contended that the applicants are innocent persons. They have been falsely implicated in the present matter. Applicants are not previous convict. They are permanent residents of District Udham Singh Nagar, therefore, there is no likelihood of their absconding. Applicants undertake that they will fully cooperate with the investigating agency during the investigation.

6. Mr. V.K. Jemini, learned counsel for the State, has opposed the Anticipatory Bail Application orally. However, he has conceded that the applicants are not previous convict.

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. In the facts and circumstances of the case, the applicants – Gurjigar Singh, Jagraj Singh and Devendra Singh are directed to be released on Anticipatory Bail, in the event of their arrest, on furnishing their personal bonds of Rs.30,000/- each and two reliable sureties, each in the like amount on the following conditions: -

(i) Applicants shall make themselves available for interrogation by the investigating agency as and when required;

(ii) Applicants shall not, directly or indirectly, make any inducement, threat or promise to any person, acquainted with the facts of this case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) Applicants shall not leave the country



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without the previous permission of the trial court;

(iv) In case, charge-sheet is filed, the applicants shall attend the trial court regularly and they shall not seek any unnecessary adjournment.

**9.** It is clarified that if the applicants misuse or violate any of the conditions, imposed upon them, the prosecution agency will be free to move the Court for cancellation of the anticipatory bail.

**10.** First Anticipatory Bail Application (No.833 of 2024) stands disposed of accordingly.

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**ALOK KUMAR VERMA, J.**

Dt:05.09.2024  
Pant/