



2025:UHC:11446

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL
THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

22nd DECEMBER, 2025

ANTICIPATORY BAIL APPLICATION NO. 1269 of 2025

Kailash Chandra Joshi ...Applicant

Versus

State of Uttarakhand ...Respondent

Counsel for the Applicant : Mr. Bhuwan Bhatt,
Advocate.

Counsel for the Respondent : Mr. Tumul Nainwal, Assistant
Government Advocate.

Hon'ble Alok Kumar Verma,J.

This Application has been filed for anticipatory bail in Case Crime No. 239 of 2025, registered at Police Station Raipur, District Dehradun under Sections 120B, 420, 467, 468 and Section 471 of the Indian Penal Code, 1860.

2. An Anticipatory Bail Application (No. 1338 of 2025) was filed. The said Application has been rejected by the learned Sessions Court, Dehradun on 16.12.2025.

3. Heard Mr. Bhuwan Bhatt, learned counsel for the applicant and Mr. Tumul Nainwal, learned Assistant Government Advocate for the respondent.

4. Mr. Bhuwan Bhatt, Advocate, contended that an agreement was executed between the present applicant and the informant to sell a property in favour of the informant by the applicant. Thereafter, on the request of the informant, the applicant returned the



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entire amount, i.e. Rs.4:00 lakh to the informant. Subsequently, one Smt. Swaroop Devi executed a Power of Attorney deed in favour of the co-accused Abhishek Rana on 03.09.2022. The co-accused Abhishek Rana executed six sale-deeds on 22.10.2022. The applicant was not a seller. He was not a witness to the said sale-deeds. He has no criminal antecedents. He is a permanent resident of District Dehradun, therefore, there is no possibility of his absconding, and, Abhishek Rana, the main accused, has already been granted anticipatory bail by the Sessions Court, Dehradun in Anticipatory Bail Application No. 1321 of 2025.

5. Mr. Tumul Nainwal, Assistant Government Advocate, has opposed the anticipatory bail application orally.

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, the present Application, filed for anticipatory bail, is allowed. It is directed that in the event of arrest of the applicant Kailash Chandra Joshi,



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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.

8. 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.

ALOK KUMAR VERMA, J.

Dt: 22.12.2025
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