



2026:UHC:1959

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

20th MARCH, 2026

SECOND ANTICIPATORY BAIL APPLICATION NO.10 of 2026

Moh Kasim ...Applicant
Versus
State of Uttarakhand ...Respondent

Counsel for the Applicant : Ms. Reema Rana, Advocate.
Counsel for the Respondent : Mr. Deepak Bhardwaj, Brief Holder.
Counsel for the Informant : Mr. Ashutosh Posti, Advocate.

Hon'ble Alok Kumar Verma,J.

This Application has been filed by the applicant Moh Kasim 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. On 13.03.2026, the First Anticipatory Bail Application (No. 1192 of 2025) was dismissed for want of prosecution.

3. Supplementary affidavit, filed by the applicant, is taken on record.

4. Heard Ms. Reema Rana, learned counsel for the applicant, Mr. Deepak Bhardwaj, learned Brief Holder for the respondent and Mr. Ashutosh Posti, learned counsel for the informant.

5. Ms. Reema Rana, Advocate, submitted that the



applicant's counsel was under the impression that, as per the Roster, the matter would be listed in another Bench, which is why the counsel could not attend the Court on 13.03.2026.

6. Applicant was granted interim bail in the First Anticipatory Bail Application.

7. Ms. Reema Rana, Advocate, submitted that one Smt. Swaroop Devi was the owner of the property-in-question. She 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. Applicant has not been named in the First Information Report. His name came to light during the investigation based on the statement of the co-accused. There is no direct allegation or any other credible evidence available against him. Applicant has no criminal antecedents. He is a permanent resident of District Shamli, Uttar Pradesh, therefore, there is no possibility of his absconding. Abhishek Rana, the main accused, has already been granted regular bail.

8. Mr. Deepak Bhardwaj, Brief Holder for the respondent and Mr. Ashutosh Posti, Advocate for the informant, have opposed the anticipatory bail application orally.

9. 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.

10. 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 –Moh Kasim, 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.

11. It is clarified that if the applicant misuses or violates any of the conditions, imposed upon him, the



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prosecution agency will be free to move the Court for
cancellation of the anticipatory bail of the applicant.

ALOK KUMAR VERMA, J.

Dt: 20.03.2026
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