



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>ABA/283/2026</u> Ali Khan --Applicant Versus State Of Uttarakhand --Respondent <u>Hon'ble Alok Mahra, J.</u> Mr. Mohd. Safdar, learned counsel for the applicant. Mrs. Pushpa Bhatt, learned Additional Advocate General assisted by Mr. S.C. Dumka, learned A.G.A. and Mr. Nikhil Bisht, learned Brief Holder for the State of Uttarakhand. 2. Applicant seeks anticipatory bail in connection with Case Crime No. 302 of 2026, registered under Section 305(e) of the Bharatiya Nyaya Sanhita, 2023, at Police Station Kotwali, Manglaur, District Haridwar. 3. Heard learned counsel for the parties and perused the record. 4. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case solely on the basis of the confessional statement of the co-accused, from whose possession the alleged recovery of the stolen articles has been effected. It is submitted that the applicant is not named in the First Information Report. Learned counsel further submits that co-accused Ali Shan was arrested on 09.06.2026 and the alleged recovery was made from his possession. Thereafter, the applicant came to be implicated only on the basis of the confessional statement of the said co-accused. It is further submitted that the co-accused Ali Shan has already been granted regular bail by the Court below vide order dated 23.06.2026. Learned counsel also submits that no independent witness



		has been associated with the alleged recovery and that the offence is triable by the Magistrate. It is further submitted that the applicant is ready to cooperate with the investigation, and there is no likelihood of his absconding or tampering with the prosecution evidence. On these grounds, it is prayed that the applicant be granted anticipatory bail. 5. Per contra, learned State Counsel opposes the anticipatory bail application and submits that during the course of investigation, the involvement of the applicant surfaced on the basis of the confessional statement of the co-accused. It is, therefore, contended that no case for grant of anticipatory bail is made out. 6. Having considered the rival submissions advanced by learned counsel for the parties and upon perusal of the material available on record, this Court finds that the applicant is not named in the First Information Report and his implication appears to be founded primarily on the disclosure statement of the co-accused, from whose possession the alleged recovery has been made. It is also not disputed that the said co-accused has already been enlarged on bail by the Court below vide order dated 23.06.2026. The offence alleged is triable by the Magistrate and no material has been brought on record to indicate that custodial interrogation of the applicant is necessary. Considering the nature of the allegations, the material available on record, the stage of the investigation, and without expressing any opinion on the merits of the case, this Court is of the opinion that the applicant has made out a fit case for grant of anticipatory bail. Accordingly, the present anticipatory bail application deserves to be allowed. 7. Accordingly, the anticipatory bail application is allowed. 8. In the event of arrest, the applicant
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			shall be released on anticipatory bail on furnishing a personal bond in the sum of Rs. 50,000/- (Rupees Fifty Thousand only) with two reliable sureties of the like amount each to the satisfaction of the Investigating Officer, subject to the following conditions: (i) The applicant shall cooperate with the investigation and shall make himself available for interrogation by the Investigating Officer as and when required. (ii) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade such person from disclosing such facts to the Court or to any police officer. (iii) The applicant shall not leave the country without prior permission of the concerned Court. (iv) The applicant shall deposit his passport, if any, with the Investigating Officer. The passport shall be returned only pursuant to an order passed by the concerned Court. In case the applicant does not possess a passport, he shall furnish an undertaking to that effect before the Investigating Officer. (v) In case the applicant violates any of the aforesaid conditions or misuses the liberty granted by this Court, it shall be open to the prosecution to move an appropriate application for cancellation of anticipatory bail before the competent Court. (Alok Mahra, J.) 13-07-2026 SHWASHA SINGOLA
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