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IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

27th MARCH, 2026

ANTICIPATORY BAIL APPLICATION NO. 921 OF 2025

Mohd. Mustafa Applicant

Versus

State of Uttarakhand Respondent

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

Counsel for the Respondent : Mr. Pratiroop Pandey, Assistant
Government Advocate.

Counsel for the Informant : Mr. Ashutosh Posti, Advocate.

Hon'ble Alok Kumar Verma,J.

The present Application has been filed by the applicant Mohd. Mustafa 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. Heard Mr. Bhuwan Bhatt, learned counsel for the applicant, Mr. Pratiroop Pandey, learned Assistant Government Advocate for the respondent and Mr. Ashutosh Posti, learned counsel for the informant.

3. Mr. Bhuwan Bhatt, Advocate, submitted that the co-accused Rajesh Agarwal and Vijay Verma told the applicant in the year, 2022 that Smt. Swaroop Devi is 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. An agreement to sale was executed



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by the co-accused Rajesh Agarwal in favour of the informant on 28.07.2022. The co-accused Abhishek Rana executed six sale-deeds on 22.10.2022 in favour of the informant. Applicant never met the informant. He had no concern with the Power of Attorney and the sale-deeds. He did not receive any amount. He is a permanent resident of District Shamli (Uttar Pradesh), therefore, there is no possibility of his absconding. The co-accused Abhishek Rana has already been granted anticipatory bail by learned Incharge Sessions Judge, Dehradun on 16.12.2025. Applicant is not a convicted person. He was granted interim bail on 22.08.2025 and the conditions of the interim bail have not been violated or misused by him.

4. Mr. Pratiroop Pandey, Assistant Government Advocate for the respondent and Mr. Ashutosh Posti, Advocate for the informant, have opposed the anticipatory bail application.

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



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and circumstances of the case, without commenting on the merits of the case, the present Anticipatory Bail Application is allowed and the order dated 22.08.2025, granting interim bail to the applicant, is made absolute. It is directed that in the event of arrest of the applicant Mohd. Mustafa, 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.

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 granted to the applicant.

ALOK KUMAR VERMA, J.

Dt: 27.03.2026
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