



2026:UHC:1077

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

18th FEBRUARY, 2026

ANTICIPATORY BAIL APPLICATION NO. 1215 OF 2025

Rahul Gumber Applicant
Versus
State of Uttarakhand and Another Respondents

Counsel for the Applicant : Mr. Maneesh Bisht, Advocate.
Counsel for the Respondent : Mr. Pratiroop Pandey, Assistant
No. 1 Government Advocate.
Counsel for the Respondent : Mr. Abhishek Rawat,
No. 2/Informant Advocate.

Hon'ble Alok Kumar Verma, J.

The present Application has been filed for anticipatory bail in Case Crime No. 117 of 2025, registered at Police Station Kichha, District Udham Singh Nagar.

2. Heard Mr. Maneesh Bisht, learned counsel for the applicant, Mr. Pratiroop Pandey, learned Assistant Government Advocate for the respondent no.1 and Mr. Abhishek Rawat, learned counsel for the respondent no.2/informant.

3. Mr. Pratiroop Pandey, Assistant Government Advocate, submitted on instructions that charge-sheet has already been filed for the offence under Sections 115(2), 351(2), 352 of the Bharatiya Nyaya Sanhita, 2023, Section 3(1)(r) and Section 3(1)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.



4. Mr. Maneesh Bisht, Advocate, has contended that the allegations are totally false and frivolous. It has not been disclosed in the First Information Report that the informant-victim is a member of the Scheduled Castes or the Scheduled Tribes. Applicant is not a convicted person. He is a permanent resident of District Udham Singh Nagar, therefore, there is no possibility of his absconding. Charge-sheet has already been filed, therefore, there is no chance of tampering with the evidence, and, Ankush Gumber, Sagar Gumber, Prem Lal Gumber and Madan Lal, the co-accused persons, have already been granted anticipatory bail by this Court in Anticipatory Bail Application No.400 of 2025.

5. Mr. Abhishek Rawat, Advocate, appearing for the informant, submitted that the informant does not want to file written objection.

6. Mr. Pratiroop Pandey, Assistant Government Advocate for the respondent no.1 and Mr. Abhishek Rawat, Advocate for the informant have opposed the anticipatory bail application orally.

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. Having heard the submissions of learned counsel



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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 Rahul Gumber, 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 attend the trial court regularly and he shall not seek any unnecessary adjournment;
- (ii) Applicant shall not directly or indirectly make any inducement, threat or promise to any person, acquainted with the facts of this case;
- (iii) Applicant shall not leave the country without the previous permission of the trial court.

9. 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.

ALOK KUMAR VERMA, J.

Date: 18.02.2026
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