

HIGH COURT OF UTTARAKHAND AT NAINITAL

Anticipatory Bail Application No. 196 of 2022

Haji Kasim and Others

...Applicants

Versus

State of Uttarakhand

....Respondent

Present:-

Mr. Shashi Kant Shandilya, Advocate for the applicants.

Mr. V.S. Rawat, A.G.A. with Ms. Rangoli Purohit, Brief Holder for the State.

Hon'ble Ravindra Maithani, J. (Oral)

Applicants Haji Kashim, Mukarram Ansari, Akhlakh, Masum Ali, Mursaleen, Sonu, Mohd. Irshad and Mujahid seek anticipatory bail in Case Crime No.406 of 2022, under Sections 341, 353, 109 and 147 IPC and Section 7 of the Criminal Law Amendment Act, 1932, Police Station Kotwali Jwalapur, District Haridwar.

2. Heard learned counsel for the parties and perused the record.

3. According to the FIR, the applicants and the co-accused were demonstrating against some actions of Government Department. They had blocked a road. When they were asked to remove their demonstration, they did not yield to the directions.

4. Learned counsel for the applicants would submit that the applicants were peacefully demonstrating; the applicants have been falsely implicated.

5. Learned State Counsel would submit that the applicants were blocking the road and did not yield with the directions given by the authorities.

6. Having considered, this Court is of the view that this is a case, in which the applicants should be granted anticipatory bail. The instant anticipatory bail application deserves to be allowed.

7. The anticipatory bail application is allowed.

8. In the eventuality of arrest, the applicants shall be enlarged on bail on their furnishing a personal bond with two sureties, each in the like amount, by each one of them, to the satisfaction of the Arresting Officer ("AO"). In addition to it, the applicants shall also comply with the following conditions:-

- (i) The applicants shall co-operate with the investigation.
- (ii) The applicants shall not approach any witness in any manner, whatsoever.
- (iii) The applicants shall not leave the country without prior permission of the court concerned.
- (iv) The applicants shall deposit their passports with the AO. The passports may only be returned by the order of the court concerned. In case the applicants do not have passport, they shall give an undertaking to that effect to the AO.

- (v) The applicants shall also give an undertaking on (i), (ii) & (iii) above.

(Ravindra Maithani, J.)
29.04.2024

Ravi Bisht