

HIGH COURT OF UTTARAKHAND AT NAINITAL

Anticipatory Bail Application No. 203 of 2022

Chandrakala Bisht

...Applicant

Versus

State of Uttarakhand

....Respondent

Present:-

Mr. G.S. Lakhchaura, Advocate for the applicant.

Mr. M.A. Khan, A.G.A. for the State.

Hon'ble Ravindra Maithani, J. (Oral)

Applicant seeks anticipatory bail in Case Crime No.0108 of 2022, under Sections 323, 420, 504 IPC, Police Station Mukhani, District Nainital.

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

3. According to the FIR, the applicant and the informant entered into a partnership, but, subsequently, the informant was not taken into confidence and the accounts were not rendered.

4. Both State and informant have not filed any objections despite opportunity having been given. Respondent no.2, as reported by the Registry, has been served personally.

5. Learned counsel for the applicant would submit that it is a business transaction; the money was transferred from both the sides; it was a financial assistance kind of

arrangement between the husband of the applicant and the informant. He would submit that chargesheet has already been filed in the matter.

6. Having considered, this Court is of the view that this is a case, in which the applicant 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 applicant shall be enlarged on bail on her furnishing a personal bond with two sureties, each in the like amount, to the satisfaction of the court concerned. In addition to it, the applicant shall also comply with the following conditions:-

- (i) The applicant shall not approach any witness in any manner, whatsoever.
- (ii) The applicant shall not leave the country without prior permission of the court concerned.
- (iii) The applicant shall deposit her passport with the court concerned. The passport may only be returned by the order of the court concerned. In case the applicant does not have passport, she shall give an undertaking to that effect to the court concerned.

- (iv) The applicant shall also give an undertaking on (i) & (ii) above.

(Ravindra Maithani, J.)
02.05.2024

Ravi Bisht