HIGH COURT OF UTTARAKHAND AT NAINITAL

Anticipatory Bail Application No.1026 of 2024

Raj Sahani and another .....Applicants

Versus

State of Uttarakhand & others .....Respondents

Present:-

Mr. Brahm Dev, Advocate for the applicants.
Mr. Siddhartha Bisht, AGA for the State.

Hon'ble Ravindra Maithani, J. (Oral)

Applicants seek anticipatory bail in FIR No.0483 of 2024, under Sections 109 & 351(2) of Bharatiya Nyaya Sanhita, 2023, Police Station Rudrapur, District Udham Singh Nagar.

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

3. According to the FIR, on 25.09.2024 at 10:30 p.m., the applicants and the co-accused opened fire. Somehow, the informant could save himself.

4. It is the case of the applicants that it is a no injury case.

5. Learned State Counsel was required to file objections, but it has not been filed.

6. Learned State Counsel admits that it is a no injury case.

7. Having considered the entirety of facts, this Court is of the view that it is a fit case for anticipatory bail. The instant anticipatory bail application deserves to be allowed.

8. The anticipatory bail application is allowed.

9. In the eventuality of arrest, the applicants shall be enlarged on bail subject to their furnishing personal bonds 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) They shall not approach any witness in any manner, whatsoever.

(iii) They shall not leave the country without prior permission of the concerned court.

(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)
19.12.2024

Ravi