HIGH COURT OF UTTARAKHAND AT NAINITAL

Anticipatory Bail Application No. 1298 of 2024

Nitesh Patel ...Applicant

Versus

State of Uttarakhand ....Respondent

Present:-
Ms. Manju Bahuguna and Mr. D.N. Sharma, Advocates for the applicant.
Ms. Rangoli Purohit, Brief Holder for the State.

Hon'ble Ravindra Maithani, J. (Oral)

Applicant seeks anticipatory bail in Case Crime No. 0190 of 2024, under Section 303(2) of the Bhartiya Nyaya Sanhita, 2023, Police Station Pantnagar, District Udham Singh Nagar.

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

3. According to the FIR, certain articles were found missing in a warehouse. It was revealed that , in fact, in the warehouse, entire consignment was not being unloaded. On 14.11.2024, one vehicle, bearing Registration No. UK06CB4476, was unloaded, but it had not unloaded 25 boxes of the material. Total articles, which were found deficient in the warehouse was worth Rs. 3.5 lakhs.

4. Learned counsel for the applicant would submit that the applicant has not committed any offence.

5. Learned State Counsel would submit that no separate objection is required to be filed, as such. The

anticipatory bail application may be decided based on the material available on record. She would submit that in the CCTV footages, it was seen that the vehicle was being driven by the applicant.

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 his furnishing a personal bond with two sureties, each in the like amount, to the satisfaction of the Arresting Officer ("AO"). In addition to it, the applicant shall also comply with the following conditions:-

(i) The applicant shall co-operate with the investigation.

(ii) The applicant shall not approach any witness in any manner, whatsoever.

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

(iv) The applicant shall deposit his passport with the AO. The passport may only be returned by the order of the court concerned. In case the applicant does not have passport, he shall give an undertaking to that effect to the AO.

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

(Ravindra Maithani, J.)
27.12.2024

Ravi Bisht