



2025:UHC:5409

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

26TH JUNE, 2025

ANTICIPATORY BAIL APPLICATION NO.683 of 2025

Nishar AhmadApplicant

Versus

State of UttarakhandRespondent

Counsel for the Applicant : Mr. Gaurav Singh,
Advocate.

Counsel for the State : Mr. Pradeep Lohani,
Brief Holder.

Hon'ble Alok Kumar Verma,J.

This Application has been filed by the applicant seeking anticipatory bail in Case Crime No.66 of 2023, registered at Police Station Manglour, District Haridwar under Section 406 and Section 420 of the Indian Penal Code, 1860.

2. According to the First Information Report dated 20.01.2023, the applicant and two others took away three tractors and two trolleys of the informant on 06.12.2022 but did not pay its full cost.



3. Heard Mr. Gaurav Singh, learned counsel for applicant and Mr. Pradeep Lohani, learned Brief Holder for State.

4. Mr. Gaurav Singh, Advocate, submitted that the said allegations are totally false. Applicant has paid the entire amount to the informant. The case property has already been recovered from the co-accused Faijan. He (Faijan) has been granted regular bail by the coordinate Bench of this Court. Applicant is a permanent resident of District Ghaziabad, (Uttar Pradesh), therefore, there is no chance of his absconding, and, he has no criminal antecedents.

5. Mr. Pradeep Lohani, learned Brief Holder, appearing for the State, on instructions, has opposed the anticipatory bail application orally.

6. 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.

7. Having heard the submissions of learned counsel for the parties and keeping in view of the facts and circumstances of the case, without commenting on the merits of the case, the present Application, filed for



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anticipatory bail, is allowed. It is directed that in the event of arrest of the applicant Nishar Ahmad, 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 cooperate with the Investigating Agency and he shall make himself available for interrogation by a police officer as and when required;
- (ii) If the charge-sheet is filed, the applicant shall attend the trial court regularly and he shall not seek any unnecessary adjournment;
- (iii) Applicant shall not directly or indirectly make any inducement, threat or promise to any person, acquainted with the facts of this case;
- (iv) Applicant shall not leave the country without the previous permission of the trial court.

8. 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.

Dt:26.06.2025
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