



2025:UHC:6114

**IN THE HIGH COURT OF UTTARAKHAND**  
**AT NAINITAL**

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

**15<sup>TH</sup> JULY, 2025**

**ANTICIPATORY BAIL APPLICATION NO.788 OF 2025**

Riyazul ..... Applicant

Versus

State of Uttarakhand .....Respondent

Counsel for the Applicant : Mr. Saurabh Pandey,  
Advocate holding brief of  
Mr. Pritish Arya, Advocate

Counsel for the Respondent : Mr. Tumul Nainwal,  
Assistant Government  
Advocate.

**Hon'ble Alok Kumar Verma,J.**

Present Application has been filed by the applicant-Riyazul seeking anticipatory bail in Case Crime No.35 of 2025, registered at Police Station Buggawala, District Haridwar under Section 420 of the Indian Penal Code, 1860, Section 351(2) and Section 352 of the Bharatiya Nyaya Sanhita, 2023.

2. According to the First Information Report dated 22.06.2025, one Israna was the owner of the property-in-question. The informant purchased the said property from her through the sale-deed dated 22.03.2019. Present applicant is not giving him possession of the said property.



3. Heard Mr. Saurabh Pandey, learned counsel appearing for the applicant and Mr. Tumul Nainwal, learned Assistant Government Advocate for the respondent.

4. Mr. Saurabh Pandey, Advocate submitted that the said allegations are totally false. The informant filed an Original Suit (O.S. No.317 of 2019) for perpetual injunction regarding property-in-question. The informant has clearly stated in the plaint that the property-in-question has been in his possession since the year, 2019. Applicant has no criminal antecedents. He is a permanent resident of District Haridwar, therefore, there is no possibility of his absconding.

5. Mr. Tumul Nainwal, Assistant Government Advocate, 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, the present Application,



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filed for anticipatory bail, is allowed. It is directed that in the event of arrest of the applicant-Riyazul, 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 clarified 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.

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**ALOK KUMAR VERMA, J.**

Dt: 15.07.2025  
JKJ/Pant