

**HIGH COURT OF UTTARAKHAND AT NAINITAL**  
**Anticipatory Bail Application No.1017 of 2024**

Ayush Chaudhary ...Applicant

Versus

State of Uttarakhand ...Respondent

Present:-

Mr. Adish Agarwala, Senior Advocate, assisted by Mr. Prashant Khanna, Advocate for the applicant through video conferencing.  
Ms. Rangoli Purohit, Brief Holder for the State.  
Mr. Vishal Kumar Nautiyal, Advocate for the informant.

With

**Anticipatory Bail Application No.1182 of 2024**

Yatharth Pandey ...Applicant

Versus

State of Uttarakhand ...Respondent

Present:-

Mr. D.S. Mehta, Advocate for the applicant.  
Ms. Rangoli Purohit, Brief Holder for the State.  
Mr. Vishal Kumar Nautiyal, Advocate for the informant.

With

**Anticipatory Bail Application No.1184 of 2024**

Kunal ...Applicant

Versus

State of Uttarakhand ...Respondent

Present:-

Mr. Adish Agarwala, Senior Advocate, assisted by Mr. Prashant Khanna, Advocate for the applicant through video conferencing.  
Ms. Rangoli Purohit, Brief Holder for the State.  
Mr. Vishal Kumar Nautiyal, Advocate for the informant.

And

**Anticipatory Bail Application No.1185 of 2024**

Arjun ...Applicant

Versus

State of Uttarakhand

...Respondent

Present:-

Mr. Adish Agarwala, Senior Advocate, assisted by Mr. Prashant Khanna, Advocate for the applicant through video conferencing.

Ms. Rangoli Purohit, Brief Holder for the State.

Mr. Vishal Kumar Nautiyal, Advocate for the informant.

**Hon'ble Ravindra Maithani, J. (Oral)**

Since all these anticipatory bail applications arise from one and the same FIR, they are decided by this common order.

2. Applicants Ayush Chaudhary, Kunal and Arjun seek anticipatory bail in FIR No. 173 of 2024, under Sections 117 (2), 191 (2), 351 (2), 352 of the Bharatiya Nyaya Sanhita, 2023 ("BNS"), and applicant Yatharth Pandey seeks anticipatory bail in FIR No. 173 of 2024, under Section 117 (2), 118 (2), 191 (2), 351 (2), 352 & 61 of the BNS, Police Station Prem Nagar, District Dehradun.

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

4. According to the FIR, on 31.08.2024 at 6:00 in the morning, 6-11 boys, who had masked their faces attacked the injured with knife and *danda*, due to which the injured sustained serious injuries.

5. Learned counsel appearing for the applicants Ayush Chaudhary, Kunal and Arjun would submit that the FIR is delayed. There are contradictions in the prosecution story. Co-accused Gaurav Katariya and Shikhar having similar role have

already been granted regular bail. The applicants are students. They could not appear in the examination. Due to this incident, they have already spoiled their one year. Hence, it is a case fit for anticipatory bail.

6. Learned counsel appearing for the applicant Yatharth Pandey would submit that the co-accused having similar role under same sections have already been granted regular bail.

7. Learned State counsel admits these facts.

6. Having considered the entirety of facts, this Court is of the view that this is a case fit for anticipatory bail.

7. The anticipatory bail applications are allowed.

8. In the eventuality of arrest, the applicants shall be enlarged on anticipatory bail subject to their furnishing a personal bond with two sureties by each one of them, each in the like amount, 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) The applicants shall not approach any witness in any manner, whatsoever.
- (iii) The applicants shall not leave the country without prior permission of the concerned court.
- (iv) The applicants shall deposit their 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, 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.)  
07.01.2025

Jitendra