
(2023) 07 UK CK 0094

Uttarakhand High Court

Case No: Anticipatory Bail Application No. 556 Of 2023

Shakeel Ahmed Alias
Ghoda

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

Date of Decision: July 14, 2023

Acts Referred:

- Code Of Criminal Procedure, 1973 - Section 438
- Indian Penal Code, 1860 - Section 379
- Constitution Of India, 1950 - Article 21

Hon'ble Judges: Alok Kumar Verma, J

Bench: Single Bench

Advocate: Bilal Ahmed, Manisha Rana Singh, Shivali Joshi

Final Decision: Disposed Of

Judgement

Alok Kumar Verma,J

1. This is an Application, filed under Section 438 of the Code of Criminal Procedure, 1973, for grant of Anticipatory Bail in connection with Case

Crime No. 197 of 2023, registered at police station Rishikesh, District Dehradun under Section 379 of the Indian Penal Code, 1860.

2. As per the First Information Report, on 29.04.2023, jewellery of the informant was stolen while he was going from Rishikesh bus stand to

Dehradun by Bus No. UK07PA4341. On 30.04.2023, FIR was registered against unknown person.

3. Mr. Bilal Ahmed, learned counsel for applicant through video conferencing.

4. Mrs. Manisha Rana Singh, learned A.G.A. assisted by Mrs. Shivali Joshi, learned Brief Holder for State.
5. Mr. Bilal Ahmed, Advocate, contended that the applicant has been implicated in the present matter. The First Information Report was registered against unknown person. Nothing has been recovered from the present applicant, and, he is a permanent resident of District Haridwar.
6. On the other hand, learned counsel for the State has submitted that as per instructions, received from the Investigating Officer, some jewellery has been recovered from the co-accused.
7. 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.
8. In the facts and circumstances of the case, it is directed that in the event of arrest of the applicant Shakeel Ahmed alias Ghoda, he will be released on Anticipatory Bail on furnishing his personal bond of Rs. 30,000/- and two reliable sureties, each in the like amount, to the satisfaction of the Investigating Officer/Arresting Officer with the condition that the applicant shall not directly or indirectly make any inducement, threat or promise to any person, acquainted with the facts of this case.
9. It is clarified that if the applicant misuses or violates the said condition, imposed upon him, the concerned authority will be free to move the Court for cancellation of the anticipatory bail.
10. Anticipatory Bail Application (No. 556 of 2023) stands disposed of accordingly.