
(2024) 11 UK CK 0092

Uttarakhand High Court

Case No: Anticipatory Bail Application No. 1051 Of 2024

Divyansh Goswami

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

Date of Decision: Nov. 8, 2024

Acts Referred:

- Bharatiya Nagarik Suraksha Sanhita, 2023 - Section 109, 115(2), 126(2), 191(2), 324(4), 351(2)

Hon'ble Judges: Ravindra Maithani, J

Bench: Single Bench

Advocate: Vaibhav Singh Chauhan, Bilal Ahmed, M.A. Khan

Final Decision: Allowed

Judgement

Ravindra Maithani, J

1. Applicant seeks anticipatory bail in Case Crime No. 761 of 2024, under Section 126 (2), 115 (2), 351 (2), 324(4) (during investigation under Section 191 (2) and 109 increased) of Bharatiya Nagarik Suraksha Sanhita, 2023, Police Station Kotwali Jwalapur, District Haridwar.
2. Heard learned counsel for the parties and perused the record.
3. Learned counsel for the applicant would submit that the co-accused having similar role, who were arrested already been granted bail by the court below.
4. Learned State counsel would submit that no objection as such is required in the case and the anticipatory bail applicant may be decided based on the material available on record.

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

6. The anticipatory bail application is allowed.

7. In the eventuality of arrest, the applicant shall be enlarged on anticipatory bail subject to 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 concerned court.

(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.