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**(2025) 12 UK CK 0043**

**Uttarakhand HC**

**Case No:** Anticipatory Bail Application No. 1226 Of 2024

Gopal Singh

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

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**Date of Decision:** Dec. 8, 2025

**Acts Referred:**

- Bharatiya Nyaya Sanhita, 2023 - Section 318(4), 338
- Constitution Of India, 1950 - Article 21

**Hon'ble Judges:** Alok Kumar Verma, J

**Bench:** Single Bench

**Advocate:** D.S. Patni, Tribhuwan Phartiyal, Pradeep Lohani, Maneesh Bisht

**Final Decision:** Allowed

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**Judgement**

Alok Kumar Verma, J

1. This Application has been filed for anticipatory bail in Case Crime No. 118 of 2024, registered at Police Station Kaladhungi, District Nainital under Section 318(4) and Section 338 of the Bharatiya Nyaya Sanhita, 2023.

2. Heard Mr. D.S. Patni, learned Senior Advocate for the applicant, Mr. Pradeep Lohani, learned Brief Holder for the respondent nos.1 and 2 and Mr. Maneesh Bisht, learned counsel for the respondent no.3.

3. Learned Senior Advocate appearing for the applicant has submitted that the First Information Report was lodged against the applicant, but the entire amount has already been paid to the respondent no.3-informant. Applicant, aged about 68 years, has no criminal antecedents. He is a permanent resident of District Nainital, therefore, there is no possibility of his absconding.

4. Mr. Pradeep Lohani, Brief Holder, has opposed the anticipatory bail application.

**5.** Mr. Maneesh Bisht, learned counsel for the respondent no.3 - informant submitted that the respondent no.3 has received a sum of Rs.22,60,266/- from the applicant, therefore, the respondent no.3 does not want to oppose the anticipatory bail application.

**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, filed for anticipatory bail, is allowed. It is directed that in the event of arrest of the applicant Gopal Singh, 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.