

(2025) 12 UK CK 0046

Uttarakhand HC

Case No: Anticipatory Bail Application No. 1235 Of 2025

Manoj Kumar

APPELLANT

Vs

State Of Uttarakhand And
Another

RESPONDENT

Date of Decision: Dec. 8, 2025

Acts Referred:

- Indian Penal Code, 1860 - Section 386, 506
- Constitution Of India, 1950 - Article 21

Hon'ble Judges: Alok Kumar Verma, J

Bench: Single Bench

Advocate: Deepak Petshali, Sweta Badola Dobhal

Final Decision: Allowed

Judgement

Alok Kumar Verma, J

1. This Application has been filed for anticipatory bail in Case Crime No.688 of 2020, registered at Kotwali Roorkee, District Haridwar under Section 386 and Section 506 of the Indian Penal Code, 1860.

2 The Anticipatory Bail Application of the applicant has been rejected by the learned Ist Additional Sessions Judge, Roorkee, District Haridwar on 27.11.2025.

3. According to the First Information Report dated 16.12.2020, the applicant and other co-accused threatened the informant on 15.12.2020 that if he did not give Rs.10,00,000/-, they would kill him and his children.

4. Heard Mr. Deepak Petshali, learned counsel for the applicant and Mrs. Sweta Badola Dobhal, learned Brief Holder for the respondents.

5. Mr. Deepak Petshali, Advocate, contended that the said allegations are totally false. The informant is a relative of the applicant. The informant has a property dispute with his father. Applicant tried to resolve the said dispute. For this reason, the informant has falsely implicated him. Applicant was never arrested. He was granted relief by this Court during the course of investigation. Charge-sheet has been filed, therefore, there is no chance of tampering with the evidence. Applicant is not a convicted person. He is a permanent resident of District Meerut, therefore, there is no possibility of his absconding.

6. Mrs. Sweta Badola Dobhal, Brief Holder, has opposed the anticipatory bail application orally.

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. 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 Manoj Kumar, 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 attend the trial court regularly and he shall not seek any unnecessary adjournment;

(ii) Applicant shall not directly or indirectly make any inducement, threat or promise to any person, acquainted with the facts of this case;

(iii) Applicant shall not leave the country without the previous permission of the trial court.

9. It is made clear 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.