

(2025) 12 UK CK 1441

Uttarakhand HC

Case No: Anticipatory Bail Application No. 1035 Of 2025

Jugraaj Singh Alias Jagga And

Another

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision: Dec. 30, 2025

Acts Referred:

- Bharatiya Nyaya Sanhita, 2023 - Section 309(6)
- Constitution Of India, 1950 - Article 21

Hon'ble Judges: Alok Kumar Verma, J

Bench: Single Bench

Advocate: Gyanmati Kushwaha, Akshay Latwal

Final Decision: Allowed

Judgement

Alok Kumar Verma, J

1. The present Application has been filed for anticipatory bail in Case Crime No.442 of 2025, registered at Police Station Rudrapur, District Udhampur under Section 309(6) of the Bharatiya Nyaya Sanhita, 2023.

2. Heard Mrs. Gyanmati Kushwaha, learned counsel for the applicants and Mr. Akshay Latwal, learned Assistant Government Advocate for the respondent nos. 1 and 2.

3. Mrs. Gyanmati Kushwaha, Advocate appearing for the applicants, submitted that as per the FIR, on 03.09.2025, when the informant along with his friends were coming from Delhi and when they reached an under construction flyover near Rudrapur at about 11:30 p.m., the applicants and the co-accused Rajnish Arora alias Sonu and the co-accused Radhey Shyam Pandit armed with tamancha intercepted their vehicle and took them on gun point and beat the informant with iron rods and sticks. They looted the said vehicle, cash and identity cards.

4. Mrs. Gyanmati Kushwaha, Advocate, has contended that the said allegations are false. Applicants were not involved in the said offence. They have not been convicted by any Court. They are permanent residents of District Udhampur Singh Nagar, therefore, there is no possibility of their absconding. The main accused Rajnish Arora alias Sonu has already been granted regular bail by the learned District and Sessions Judge, Udhampur Singh Nagar, and, the applicants were granted interim bail on 25.09.2025, and, the conditions of the interim bail have not been violated by them.

5. Mr. Akshay Latwal, Assistant Government Advocate, has opposed 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, without commenting on the merits of the case, the present Anticipatory Bail Application is allowed and the order dated 25.09.2025, granting interim bail to the applicants, is made absolute. It is directed that in the event of arrest of the applicants Jugraaj Singh alias Jagga and Vanshaj Makhija alias Vansh Makhija, they shall be released on anticipatory bail on executing a personal bond of Rs. 30,000/- and two reliable sureties, each of the like amount, by each one of them, to the satisfaction of the Arresting Officer, subject to the following conditions:-

(i) Applicants shall cooperate with the Investigating Agency and they shall make themselves available for interrogation by a police officer as and when required;

(ii) If the charge-sheet is filed, the applicants shall attend the trial court regularly and they shall not seek any unnecessary adjournment;

(iii) Applicants shall not directly or indirectly make any inducement, threat or promise to any person, acquainted with the facts of this case.

(iv) Applicants shall not leave the country without the previous permission of the trial court.

8. It is made clear that if the applicants misuse or violate any of the conditions, imposed upon them, the prosecution agency will be free to move the Court for cancellation of the anticipatory bail.