

**IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION**

Dated: Nainital: the 31st day of October 2003

Bail application No. 959 of 2003

Order on the bail application of accused.

CRIMINAL SIDE

Sohan Singh Bisht

S/o Sri Pratap Singh Bisht,

R/o Village Chaura, Patti Mawalsiyun-II,

District Pauri Garhwal

.....Applicant.

Versus

State of Uttaranchal

.....Opposite party.

Arising out of case crime No. 1 of 2003

U/Ss 323, 392, 376, 452, 506 IPC.

P.S. Patti Mawalsiyun-II,

District Pauri Garhwal

By the court

Hon'ble Irshad Hussain J.

Heard Sri G. S. Negi & Sri L. K. Tiwari, learned counsels for the applicant and learned A.G.A.

As per the allegations it is a case of rape of married women. There is delay of three days in reporting the matter to the District Magistrate. There is nothing to show as to why the prosecutrix did not submit a report at the police station at the earliest. The medical evidence is negative. Even the ladies have been arraigned as the culprits. Considering the totality of the circumstances of the case the bail application is allowed.

The applicant-accused Sohan Singh Bisht shall be released in crime No. 1 of 2003 under sections 323, 392, 376, 452, 506, I.P.C. P.S. Patti Mawalsiyun-II, District Pauri Garhwal on his executing a personal bond and two sureties each in the like amount to the satisfaction of C.J.M. Pauri Garhwal.

(Irshad Hussain J.)

Dt. 31.10.2003

Rawat