

IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital: the 27 day of February, 2003

CrI. Misc Bail Application No. 154 of 2003

Order on the Bail Application

CRIMINAL SIDE

Yashbeer s/o Jeeraj
R/o Daulatpur Jadopur
P.S.Jwalapur,
Distt. Haridwar

Applicants

Versus

State of Uttaranchal

Opposite Party.

Arising Out of Crime No. 39 of 2002
Under Sections: 302/34 I.P.C.
Police Station: Jwalapur
District: Haridwar

Hon. A.A. Desai, C.J.

Heard Sri K.S. Verma, learned counsel for the applicants and Sri S. P. S. Pawar, learned Government Advocate.

The accused-applicant is in jail for the offence punishable under section 302/34,I.P.C. According to the prosecution, he has fired on Rajendra Singh(deceased) because of vengeance. The F.I.R. attributed motive that deceased Rajendra Singh eloped the mother of the applicant ten years before. At the time of incident, the age of the applicant is reported to be 18 year. At the time of earlier incident, which became motive for the accused as alleged, his age could be 8 years.

Without going into the merits of the motive as attributed and the incident as occurred, since the accused is a young boy of 18 years, it will be more beneficial to release him on bail instead of keeping him in the company of other hardened criminals. I, therefore, direct that the applicant Yashbeer be released on bail in his furnishing a personal bond with two sureties each in the like amount to the satisfaction of the C.J.M. Haridwar.

(A.A. Desai, C.J.)

Dt.27.02.2003

A