

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

Dated: Nainital: the 25th day of February, 2005

Bail application No. 945 of 2004

Order on the Bail Application of accused

CRIMINAL SIDE

Mohd. Irfan
S/o Mohd. Akhtar
R/o Mohalla – Baher Qilla, Landhora town
Police Station – Manglaur
District - Haridwar

.....Applicant

Versus

State of Uttaranchal

..Opposite Party

Arising out of case crime No. 247 of 2004
U/Ss 323, 324, 504, 506, 307 of I.P.C.
Police Station – Manglaur
District – Haridwar

Hon'ble B.C. Kandpal, J.

The applicant has applied for bail in case crime No. 247 of 2004, U/Ss 323, 324, 504, 506, 307 of I.P.C., Police Station – Manglaur, District – Haridwar.

Heard Sri Rajendra Singh, learned counsel for the applicant, learned A.G.A. and perused the record.

The F.I.R. has been lodged after four (4) days of the incident and no satisfactory explanation has been offered in the report as well as in the statement u/s 161 either by the injured or by the complainant.

The Doctor has opined that the injury on the neck is grievous but that is not supported either by way of supplementary medical report or by any other medical evidence.

Without commenting on the merits of the case, I am of the view that the applicant is entitle to released on bail at this stage.

The applicant is in jail since 27.09.2004 and learned A.G.A. could not show any criminal history of the applicant.

Having considered aforesaid circumstances, I think it is just and proper to release the applicant on bail at this stage.

Let the applicant Mohd. Irfan be released on bail on executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of J.M., Roorkee.

February 25, 2005
Shiv

(B.C. Kandpal, J.)