

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

Dated: Nainital the 30<sup>th</sup> day of June 2005  
Criminal Misc. Bail Application No. 45 of 2005  
**Order on the bail application of accused**

**CRIMINAL SIDE**

Faaruk S/o Haneef  
R/o Gaddovalli  
P.S. Pathari  
District Haridwar

.....Applicant

**Versus**

State of Uttaranchal

.....Opposite Party

Arising out of case crime No.68/2004  
U/s 376 I.P.C.  
P.S. Pathari  
District Haridwar

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**Hon'ble J.C.S. Rawat, J.**

Heard Sri Piyush Garg i/b for Sri Sanjeev Singh learned counsel for the applicant and learned A.G.A. for the State.

Perused the record. The applicant has committed the rape on the minor girl. Perusal of the medical report reveals that the hymen is torn. Apparently, there is no enmity between the parties. There is no reason as to why the victim will state against the applicant. Considering the facts and circumstances of the case, I do not find any good ground for granting the bail.

Therefore, the bail application is hereby rejected.

Dated 30.6.2005

(J.C.S. Rawat, J.)

LSR