

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Original Jurisdiction

Dated: Nainital: the 31st day of January, 2008

First Bail Application No. 88 of 2008

Criminal Side

Dharmendra
S/o Chhotu
R/o Village Tiliapur
Thjana, Sitarganj
District-Udham Singh Nagar.

.....Applicant

Versus

State of Uttarakhand

.....Opposite Party

Arising out of Crime No. 2205 of 2007

Under Section: 304 I.P.C.

P.S.: Sitarganj

District: Udham Singh Nagar.

Hon'ble Prafulla C. Pant, J

Heard Shri S.K. Mandal, learned counsel for the applicant and Shri M.A. Khan, learned Brief Holder for the State.

Applicant-Dharmendra, who is in jail in connection with crime No. 2205 of 2007, relating to offence punishable under Section 304 I.P.C., P.S.: Sitarganj, District- Udham Singh Nagar, has sought his release on bail.

It is a case of circumstantial evidence in which it is alleged that applicant was last seen with the deceased. The First Information Report is a delayed one. The investigation shows that the dead body of the deceased was found in a drain.

Having heard learned counsel for the parties in the above circumstances, this Court is of the view that applicant deserves bail.

Let the applicant- Dharmendra be released on bail on executing personal bond and furnishing two sureties, each of the like amount to the satisfaction of the Chief Judicial Magistrate, Udham Singh Nagar.

Dt. 31.01.2008

S

(Prafulla C. Pant, J.)

Vacation Judge