

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

Dated : Nainital the January 31, 2008
Criminal Bail Application No. 71 of 2008
Order on the bail application of accused

CRIMINAL SIDE

Maruti Gindey S/o Sri Tukaram Gindey
R/o Village Rarath, P.s. Sadal Gaon
District Nelgam Karnatak
Presently Lance Nayak 15418875 Y.A.M.C. (M.H)
Dehradun ... Applicant

Vs

State of Uttarakhand ... Opposite Party

Arising out of Case Crime No. 230 of 2007
Under Sections 376, 506, 323, 504, of I.P.C.
P.S. Cantt. Dehradun
District Dehradun

By the court

Hon'ble Prafulla. C. Pant, J

Applicant – Maruti Gindey, who is in jail in connection with Crime No. 230 of 2007, relating to offences punishable under Sections 376, 506, 323, 504 I.P.C. Police Station Cantt. Dehradun, District Dehradun has sought his release on bail.

Heard Sri K.S. Verma, learned counsel for the applicant, learned A.G.A. for the State and perused the record.

The First Information Report is a delayed one. The medical report is silent as to the commission of rape. Learned counsel for the petitioner submitted that landlord of the complainant has filed an affidavit that the complainant is in the habit of falsely implicating other persons also.

Having gone through the contents of the First Information Report and other papers on record, without expressing any opinion as to the final merits of the case, this Court is of the view that the applicant deserves bail.

Let the applicant – Maruti Gindey be released on bail on executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of C.J.M., Dehradun.

(Prafulla. C. Pant, J)
Vacation Judge

31.01.2008
ASWAL