

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Original Jurisdiction

Dated: Nainital: the 29th day of January, 2008

First Bail Application No. 86 of 2008.

Criminal Side

Mohd. Ahmad S/o Shams Ahmad
R/o Mohalla Lodhi Tolla, Purana Shahar,
Police Station Baradari, Bareilly,
District Bareilly (U.P.).

.....Applicant

Versus

State of Uttarakhand

.....Opposite Party.

Arising out of Crime No. 3244 of 2007.

Under Sections: 498-A, 323, 316 of I.P.C. & Section 3/4 Dowry Prohibition Act,
P.S.: Kichha,
District: Udham Singh Nagar.

Hon'ble Prafulla C. Pant, J.

Heard Sri H.C. Pande, learned counsel for the applicant and Sri G.S. Sandhu, learned Government Advocate for the State.

Applicant Mohd. Ahmad, who is in jail in connection with Crime No. 3244 of 2007, relating to offences punishable under Sections 498-A, 323, 316 of I.P.C. and one punishable under Section 3/4 Dowry Prohibition Act, 1961, Police Station Kichha, District Udham Singh Nagar, has sought his release on bail.

Learned counsel for the applicant argued that complainant is Aanganbari teacher in Kichha and does not want to live with the applicant (husband) at Bareilly. It is further contended that due to matrimonial discord false allegations are made. The First Information Report is delayed one.

Having heard learned counsel for the parties, 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 Mohd. Ahmad 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.

(Prafulla C. Pant, J.)
Vacation Judge

Dt.29.01.2008
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