

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Original Jurisdiction

Dated: Nainital: the 25th day of September, 2009

Bail Application No. 880 of 2009

Order on the Bail Application:

CRIMINAL SIDE

Nazaf Ali S/o Sri Zafar Ali

R/o Gram Mohiuddinpur, Thana Delari

District Moradabad, U.P.

..... **Applicant**

Versus

State of Uttarakhand

..... **Opposite Party**

Arising out of Crime No. 141 of 2009

Under Sections: 498-A, 326 of I.P.C. & 3 / 4 of the D.P. Act

Police Station: Kotwali Ramnagar

District: Nainital.

Hon'ble Prafulla C. Pant, J.

Mr. Kurban Ali, Advocate present for the applicant.

Mr. M.A. Khan, Brief Holder present for the respondent State.

Applicant Nazaf Ali, who is in jail in connection with Crime / F.I.R. No. 141 of 2009, relating to offences punishable under Section 498-A, 326 of the I.P.C. and one punishable under Section 3 / 4 of the Dowry Prohibition Act, 1961, P.S. Kotwali Ramnagar, District Nainital, has sought his release on bail.

Heard learned counsel for the parties.

Learned counsel for the applicant submitted that the applicant is in jail for last about four months. It is further contended that it was a love marriage between the applicant and Najrana (sister of the complainant). It is further submitted that in the love marriage there is no question of demand of dowry.

In the above circumstances, 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 Nazaf Ali be released on bail, on his executing a personal bond and furnishing two sureties, each of the like amount, to the satisfaction of the Magistrate concerned. (Urgency Application No. 2670 of 2009 also stands disposed of).

(Prafulla.C. Pant, J.)

Dt. 25.09.2009

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