

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

ORIGINAL JURISDICTION

Dated: Nainital: the 29<sup>th</sup> day of January 2009

Ist Bail Application No.69 of 2009

**Order on the Bail application of accused.**

**CRIMINAL SIDE**

Sanjay @ Vazid S/o Rafik

R/o Village Falavada

P.S. Falavada, District-Meerut (U.P.)

....Applicant (In Jail)

Versus

State of Uttarakhand

.....Opposite party

**Dated: January 29, 2009**

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Arising out of Case Crime No.157/2008

Under Section 302 IPC

P.S. Kankhal, District-Haridwar

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**Hon'ble Dharam Veer, J.**

Heard Sri Navneet Kaushik, learned counsel for the applicant and Sri B.S. Parihar, learned Brief Holder for the State.

In brief, the prosecution case is that the complainant Mohan Singh lodged the F.I.R. at Police Station Kankhal, District Haridwar on 30.09.2008 at 08:30 A:M with the averment that on 30.09.2008 the dead body of an unknown lady is laying outside the shop of Braham Singh.

Learned counsel for the applicant has submitted that there is no direct evidence against the applicant/accused and even the applicant is not named in the F.I.R. and the case rests on the circumstantial evidence. He further argued that there is no chain of circumstances against the applicant which can connect him with the said crime.

Learned counsel for the applicant further submitted that the applicant is in jail since last one and a half month and he has got no criminal history before this case.

After considering all the facts and circumstances of the case, without expressing any opinion about the final merits of the case, the Court is of the view that the present applicant deserves bail at this stage.

Let the applicant-Sanjay @ Vazid be released on bail on executing personal bond and furnishing two sureties each in the like amount to the satisfaction of C.J.M., Haridwar.

**(Dharam Veer, J.)**

**Vacation Judge**

**29.01.2009**

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