

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

ORIGINAL JURISDICTION

Dated: Nainital: the 31st day of December, 2009

Ist Bail Application No.1287 of 2009

Order on the Bail application of accused.

CRIMINAL SIDE

Farman

.....Applicant (In jail)

Versus

State of Uttarakhand

..... Opposite Party

Arising out of Range Case No. 11/2009-2010,
U/s 26 of the Forest Act,
PS Van Vibhag, District Haridwar.

December 31, 2009

HON'BLE DHARAM VEER, J.

Mr. K.S. Verma, Advocate for the accused applicant.

Mr. Amit Bhatt, Addl. G.A. with Mr. M.A. Khan, Brief
Holder for the State.

Heard.

Learned Counsel for the accused applicant submitted that the co-accused Chhota has been granted bail by the order of Sessions Judge, Haridwar dated 15.12.2009 and the accused applicant is also entitled for bail on the basis of the parity. He further submitted that offence under Section 26 of the Forest Act is a bailable offence. He also submitted that no recovery of stolen wood has been made from the possession of the accused applicant, who is in jail since 25.11.2009.

Having heard the submissions of learned Counsel for the parties; perusal of the contents of the FIR and other papers available on record and in view of the facts and circumstances of the case and without commenting upon the final merits of the case, the Court is of the view that the applicant deserves bail at this stage.

Let the applicant Farman be released on bail on his executing a personal bond and furnishing of two sureties, each in like amount, to the satisfaction of Magistrate concerned.

Bail application is allowed accordingly.

(Dharam Veer, J.)
31.12.2009