

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

ORIGINAL JURISDICTION

1<sup>st</sup> Bail Application No. 810 of 2010

Order on the Bail application of

accused. CRIMINALSIDE

Saleem

.....Applicant (In jail)

Versus

State of Uttarakhand

..... Opposite Party

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Arising out of Case Crime No. 60/10

U/s 302/201/506/364 IPC,

PS Bahadrabad, District Hardwar.

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August 31,

2010 HON'BLE DHARAM VEER, J.

Heard Mohd. Umar, Advocate for the applicant and Mr. Amit Bhatt, Addl. GA for the State.

Learned Counsel for the accused applicant submitted that the FIR of the alleged incident has been lodged after 34 days and the delay in lodging the FIR has not been explained by showing the sufficient cause. He further argued that even the case against the applicant rests upon the circumstantial evidence and there is no direct evidence against the applicant. He further submitted that the chain of circumstances is not complete against the accused applicant to connect him with the alleged crime and only the last seen evidence has been collected against the applicant by the I.O. He also submitted that co-accused Sikandar has been granted bail by this Court vide order dated 21.6.2010 and the present applicant is also entitled for bail on the basis of parity.

Having heard the submissions of learned Counsel for the parties; perusal of the contents of the FIR and other papers available on record; 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 Saleem be released on bail on his executing a personal bond and furnishing of two sureties, each in the like amount, to the satisfaction of CJM, Hardwar.

Bail application is allowed accordingly.

(Dharam Veer, J.)

31.8.2010

PRABODH