

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

ORIGINAL JURISDICTION

4th Bail Application No. 5 of 2010

Order on the Bail application of accused.

CRIMINAL SIDE

Jarif Khan

.....Applicant (In jail)

Versus

State of Uttarakhand

..... Opposite Party

Arising out of Case Crime No. 189/2008,
U/s 489-B & 489-C IPC,
PS Tanakpur, District Champawat.

June 30, 2010

HON'BLE DHARAM VEER, J.

Heard Smt. Farida Siddiqui, Advocate for the applicant and Mr. Amit Bhatt, Addl. GA for the State.

First bail application was rejected on merit vide order dated 2.7.2008. Second bail application was disposed of by the order dated 7.5.2009 with direction to the applicant to move a fresh bail application before the trial court. Third bail application was also rejected vide order dated 7.6.2010. Hence, fourth bail application has been moved on behalf of the applicant.

Learned Counsel for the accused applicant argued that co-accused Sabir Ali and Sahid Khan have been granted bail by this Court vide order dated 13.5.2010 and 21.5.2010 respectively 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; keeping in view the principle of parity; 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 Jarif Khan 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, Champawat.

Bail application is allowed accordingly.

(Dharam Veer, J.)

