

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Original Jurisdiction

Dated: Nainital: the 29th day of July, 2011

First Bail Application No. 503 of 2011

Criminal Side

Mukesh Singh Negi

S/o Late Shri Balbeer Singh Negi

R/o Village Tonibagar (Trishula)

Patwari Circle Trishula, P.S. Pokhri

District Chamoli

.....Applicant (in Jail)

Versus

State of Uttarakhand

.....Opposite Party

Arising out of crime No. 3 of 2010

Under Section: 302, 201, 34, 506 I.P.C.

Police Station Pokhari

District Chamoli (Gopeshwar)

Hon'ble Prafulla C. Pant, J

Shri R.P. Nautiyal, Advocate, present for the applicant.

Shri Nandan Arya, A.G.A., present for the State.

Shri Vijay Khanduri, Advocate, present for the complainant.

Applicant- Mukesh Singh Negi, who is in jail in connection with crime no. 3 of 2010, relating to offences punishable under section 302, 201, 34, 506 IPC, Police Station Pokhari, District Chamoli, has sought his release on bail.

Heard learned counsel for the parties.

First Information Report is delayed by about one and half months. It is a case of circumstantial evidence. No specific role appears to have been assigned to the applicant. Motive of commission of crime is also not clear. Learned counsel for the applicant pleaded that merely for the reason that applicant is neighbour of the deceased, it cannot be said that he is involved in commission of her murder.

Having considered submission of learned counsel for the parties, and after going through the papers on record, in the above circumstances, this Court is of the view that applicant deserves bail.

Accordingly, bail application is allowed. Let the applicant Mukesh Singh Negi, be released on bail on executing personal bond, and furnishing two sureties each of like amount to the satisfaction of Chief Judicial Magistrate, Chamoli.

(Prafulla C. Pant, J.)

29.07.2011

Parul