

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

Dated Nainital the 27th January, 2011

First Bail Application No. 62 of 2011

Order on the bail application of the accused.

CRIMINAL SIDE

Sunil Rathi,
S/o Late Shri Naresh Rathi,
R/o Village – Tikri,
Police Station – Dooghat
District – Baghpat

...Applicant.

Versus

State of Uttarakhand

..... Opposite Party

In Case Crime No. 350/2009
U/s 307, 504, 506, 120-B, 34 of IPC
Police Station –Kotwali Jawalapur,
District Haridwar.

Mr. S.K. Shandilya, Advocate present for the applicant.
Mr. Nandan Arya, AGA, present for the State.

27th January, 2011

Hon’ble V.K. Bist, J.

Heard Mr. S.K. Shandilya, Advocate for the applicant and
Mr. Nandan Arya, AGA for the State.

Present application has been filed by the applicant for
being released on bail in Case Crime No. 350 of 2009 U/s 307,
504, 506, 120-B, 34 I.P.C. registered at Police Station- Kotwali
Jawalapur, District Haridwar.

Perused the bail application supported by an affidavit as
well as relevant documents enclosed therewith.

The applicant has been charged under Sections 307, 504,
506, 120-B, 34 I.P.C.

Learned counsel for the accused applicant has submitted
that the bail should be granted to the applicant because the
applicant is not named in the FIR and it is a “no injury case”

and no role has been assigned to the accused-applicant in the FIR. He further submitted that co-accused Krishanpal Sharma and Anil Sharma, who have been named in the FIR, have been granted bail by this Court vide order dated 8.12.2009 and 16.11.2009 respectively and the accused-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 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 applicant Sunil Rathi be released on bail on his executing a personal bond and furnishing two sureties, each in like amount, to the satisfaction of Magistrate concerned.

Bail application is allowed accordingly.

(V.K. Bist, J.)
Vacation Judge
27.1.2011