

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL
Original Jurisdiction
1st Bail Application No. 748 of 2013
Order on bail application of the accused

Naushad Ali
S/o Shakir Hussain

... Applicant (in jail)

Vs

State of Uttarakhand

... Opp. Party

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Mr. Abhishek Verma, Advocate, present for the applicant
Mr. S.S. Adhikari, Brief Holder, present for the State

Hon'ble Alok Singh, J.

This is a 1st bail application seeking regular bail in Case F.I.R. No. 230 of 2012, under Sections 304-B I.P.C., Police Station Jaspur, District Udham Singh Nagar.

Learned counsel for the applicant submits that as per post mortem report of Smt. Hina cause of death could not be ascertained; vicera report has not been received as yet suggesting case of poisoning; placing reliance on the judgment passed by this Court in **1st Bail Application No. 49 of 2013, Kuldeep Goyal Vs. State of Uttarakhand dated 2nd May, 2013**, argued that every young or untimely death cannot be said to be dowry death unless same is found to be unnatural.

Considering the totality of the facts and circumstances of the case, I direct, let the accused/applicant be released on bail on furnishing a personal bond of Rs.50,000/- and two sureties of like amount to the satisfaction of learned A.C.J.M. Kashipur.

Bail application stands allowed accordingly.

(Alok Singh, J.)

31.05.2013
Shiv