

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital: May 29, 2015

First Bail Application No.453 of 2015

Order on the bail application of accused

Criminal Side

1. Deepak Lal, S/o Shri Prem Lal,
2. Smt. Manju Devi, W/o Shri Prem Lal,
Both R/o Village Newly, Patti Akri, Tehsil Devprayag,
District – Tehri Garhwal.

.....Applicants

Versus

State of Uttarakhand

.....Respondent

Hon'ble Sudhanshu Dhulia, J. (Oral)

Heard Mr. Lokendra Dobhal, Advocate for the applicants and Mr. B.M. Pingal, learned Brief Holder with Mr. Vishal Singh Mehra, learned Brief Holder, for the State of Uttarakhand.

The applicants are in jail having been implicated in Case Crime No.01 of 2015, which has been registered under Sections 302/504/506 of I.P.C. at Revenue Police Station Nandi Akri, Tehsil Devprayag, District Tehri Garhwal.

The incident as narrated in the F.I.R. has happened in a spur of moment. Moreover, there are no ante mortem injuries on the body of the deceased. The allegation is that one of the applicants throttled the deceased, as a result the deceased fell down. In the Post Mortem report the cause of death is due to cardiac arrest and shock.

Considering the overall evidence which is presently available before this Court, particularly, considering that there is no ante mortem injury on the body of the deceased, the applicants have been able to make out a case for bail. The bail application is accordingly allowed.

Let the applicants (Deepak Lal and Smt.Manju Devi) be enlarged on bail in the aforesaid crime on their executing personal bonds and two reliable sureties each of the equal amount to the satisfaction of the Magistrate/Court concerned.

It is made clear that any observation made by this Court is only for the purpose of grant of bail. It shall not be taken into consideration at all in any other proceedings.

(Sudhanshu Dhulia, J.) ` 29.05.2015

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