

BA1 No.585 of 2018

Hon'ble V.K. Bist, J.

Mr. Mohd. Umar, Advocate holding brief of Mr. Mohd. Alauddin, Advocate for the applicant.

Mr. Rakesh Joshi, Brief Holder for the State of Uttarakhand.

Applicant-Gulfam @ Bonna, who is in jail in Case Crime No.24 of 2017, in respect of offences punishable u/s 342, 395 & 397 of IPC, registered at P.S. Khanpur District-Haridwar, has sought his release on bail.

Heard learned counsel for the parties and considered the grounds taken up in the bail application.

Learned counsel for the applicant submitted that applicant has falsely been implicated in the instant crime. He also submitted that after seven month of incident, the name of the applicant was told by the co-accused in his statement on the basis of enmity. It is also submitted that nothing has been recovered from the possession of the applicant. He further submitted that co-accused, namely, Kamlu, Baloka @ Balok Singh, Laddan @ Rahul and Rakam with similar role have been granted bail by the coordinate Bench of this Court *vide* orders dated 02.8.2017, 24.10.2017, 07.2.2018 & 09.2.2018, respectively and this is a case of parity.

Learned counsel for the applicant contended that in case, the applicant is granted bail, he will not misuse the same and will furnish the bail surety as per the satisfaction of this Court.

Considering the submission of learned counsel for the parties and without expressing any opinion as to the final merits of the case, this Court is of the view that applicant deserves bail at this stage on the ground of parity.

The bail application is allowed.

Let the applicant be released on bail, on executing personal bond and furnishing two reliable local sureties, each of like amount, to the satisfaction of Court concerned.

(V.K. Bist, J.)

A.kaur

28.3.2018