

Urgency Application No. 13361 of 2019

In

BAI No. 1902 of 2019

Hon'ble N.S. Dhanik, J.

Mr. Mohd. Safdar, Advocate for the applicant.

Mr. J.S.Virk, A.G.A. for the State of Uttarakhand.

Heard learned counsel for the parties.

This is the first bail application moved on behalf of the applicant seeking regular bail in connection with Case Crime No. 05 of 2019 for the offences punishable under Section 3 R.P. (U.P.) Act registered at P.S RPF, Haridwar District Haridwar.

Learned counsel for the applicant submits that the applicant has falsely been implicated in the instant crime; has no criminal history and is languishing in jail since 28.07.2019. Learned counsel for the applicant also submits that there is no independent witness of the alleged recovery. Learned counsel for the applicant further submits that one of the co-accused namely Nawab has already been granted bail by this Court on 21.10.2019 and the present applicant is also entitled for bail at least on the ground of parity.

Learned State Counsel admits that this is case of parity.

Considering the facts and circumstances of the case, without expressing any opinion as to the final merits of the case, this Court is of the view that the applicant deserves bail at this stage.

The bail application is allowed.

Let the applicant be released from jail on his executing a personal bond and furnishing two reliable sureties, each in the like amount, to the satisfaction of Magistrate/Court concerned.

Urgency application stands disposed of.

(N.S. Dhanik, J.)

31.10.2019