

BA1 No. 2272 of 2019

Hon'ble N.S. Dhanik, J.

Mr. Abhishek Verma, Advocate for the applicant.

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

Mr. Mehboob Rahi, Advocate for the complainant/injured.

Supplementary affidavit filed on behalf of the complainant/injured is taken on record. Misc. application (IA No. 16999/2019) made, therefor, stands disposed of.

This is first bail application moved by the applicants who are in jail in connection with FIR No. 147 of 2019, offences punishable u/s 307, 506 & 34 of IPC, registered at P.S. I.T.I., District Udham Singh Nagar.

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

Learned counsel for the applicant would submit that the applicant has falsely been implicated in the instant case; has no criminal antecedent and is languishing in jail since 16.07.2019. He would further submit that the complainant and injured have no objection in case, the applicant is granted bail. He would also submit 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.

Complainant (Netrapal Singh) as well as the Injured (Ajay Kumar) duly identified by their counsel are present before the Court

and stated that they have no objection in case the applicant is granted bail.

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.

The bail application is allowed.

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

Let a certified copy of this order be issued to the learned counsel for the parties, today itself, on payment of usual charges.

(N.S. Dhanik, J.)

20.12.2019

A.kaur