

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

First Bail Application No. 2248 of 2019

Desh Deepak Malda

.....Applicant

Vs.

State of Uttarakhand

.....Respondent

Hon'ble Alok Kumar Verma, J.

Heard Mr. Ganesh Kandpal, learned Advocate for the applicant and Mr. J.S. Virk, learned A.G.A. for the State of Uttarakhand.

2. Urgency Application is not opposed by learned Counsel for the State, therefore, the Urgency Application No. 1219 of 2020 is allowed.

3. This First Bail Application has been filed for grant of regular bail in connection with F.I.R. No. 23 of 2019, registered with Police Station Someshwar, District Almora, for the offence punishable under Section 51 of the Wild Life (Protection) Act, 1972.

4. Heard learned counsel for the parties. Perused and gone through the records.

5. As per the prosecution case, on 26.09.2019 on an information four persons were arrested with a skin of one Guldar.

6. Learned counsel for the applicant submits that the applicant has been falsely implicated; there is no independent witness in spite of prior information; the applicant has no criminal history; he is in the custody since 26.09.2019. Out of

four accused persons, two accused persons namely Chandan Singh and Basant Lal have already been granted bail.

7. Learned counsel for the State opposed the bail application. However, the learned counsel appearing for the State admits that the role of all the accused persons is same and out of four accused persons, two accused persons have been granted bail by this Court.

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

9. The bail application is allowed.

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

(Alok Kumar Verma, J.)
Vacation Judge
30.01.2020

NEHA