

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>BA1 No. 948 of 2023 <u>Hon'ble Manoj Kumar Tiwari, J.</u></p> <p>(1) Mr. M.K. Ray, learned counsel for the applicant.</p> <p>(2) Mr. R.K. Joshi, learned Brief Holder for the State of Uttarakhand.</p> <p>(3) Heard learned counsel for the parties and perused the record.</p> <p>(4) This is first bail application moved by applicant seeking regular bail in FIR No. 02 of 2023, under Section 7 of The Prevention of Corruption Act, 1988, registered at Police Station Vigilance Establishment, District Nainital.</p> <p>(5) Learned counsel for applicant submits that applicant is falsely implicated in the present FIR. He further submits that applicant has no criminal history and she is languishing in jail since 23.03.2023. It is further contended on behalf of applicant that being a lady, applicant is entitled to benefit of provision to Section 437 of Cr.P.C. It is further submitted that FIR in question is the counter blast to a civil case filed by the applicant as Pradhan of Village against the complainant. It is further contended that there is no independent witness to the alleged recovery. He further submits that charge-sheet is filed on 19.05.2023, therefore, no purpose would be served by keeping the applicant behind the bar.</p> <p>(6) Learned State Counsel opposed the bail application.</p>

			<p>(7) 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.</p> <p>(8) The bail application is allowed. Let the applicant, namely, Kavita be released on bail, on her executing a personal bond and furnishing two reliable sureties, each of like amount, to the satisfaction of Court concerned.</p> <p>(9) It is made clear that any observation made by this Court is only for the purpose of disposal of bail application. It shall not be taken into consideration at all in any other proceedings.</p> <p style="text-align: right;">(Manoj Kumar Tiwari, J.) 29.08.2023</p> <p><i>Aswal</i></p>
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