
(2023) 10 UK CK 0064

In the Uttarakhand High Court

Case No : First Bail Application No. 2033 Of 2023

Annu Gangwar @ Manoj Kumar @ Gulab Singh

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

Date of Decision : 11-10-2023

Acts Referred:

Uttar Pradesh Gangsters And Anti-Social Activities (Prevention) Act, 1986 — Section 2, 3

Citation : (2023) 10 UK CK 0064

Hon'ble Judges : Vivek Bharti Sharma, J

Bench : Single Bench

Advocate : M. K. Ray, Harsh Taneja, Mamta Joshi

Final Decision : Allowed

Judgement

Vivek Bharti Sharma, J

1. Applicant Annu Gangwar @ Manoj Kumar @ Gulab Singh, who is in judicial custody in FIR No. 40 of 2022 under Section 2/3 of Uttar Pradesh Gangsters and Anti-Social Activities (Prevention) Act, 1986, Police Station Rudrapur, District Udham Singh Nagar, has sought his release on bail.

2. Heard learned counsel for the parties and perused the material available on file.

3. Learned counsel for the applicant/accused would submit that as per the gang chart, 14 cases are pending against the applicant/accused in which most of the cases, he has been granted bail; that, the co-accused Rajesh Gangwar, the leader of the Gang has already been granted bail by this Court vide order dated 01.05.2023.

He would further submit that applicant/accused is languishing in jail since 02.02.2023; that, the applicant is an innocent person and has falsely been implicated in the instant crime; that, the applicant/accused is not a previously

convicted person, therefore, no purpose would be served by keeping the applicant/accused in jail as the trial is likely to take considerable time.

4. Per Contra, Ms. Mamta Joshi, Brief Holder for the State vehemently opposed the bail application of the applicant/accused, however, would admit at Bar that the applicant/accused has been granted bail in number of the cases pending against him. She would further admit that the co-accused Rajesh Gangwar, the leader of the Gang has been granted bail by this Court and the applicant/accused may be granted bail on the basis of parity.

5. In the circumspection of facts as stated above, without expressing any opinion about merits of the case before the Trial Court, this Court is of the view that this is a case fit for bail.

6. The bail application is, accordingly, allowed. Let the applicant be released on furnishing bail bond with two sureties in the amount of Rs. 50,000/- and personal bond of the like amount to the satisfaction of the learned Trial Court.

7. All pending applications also stand disposed of.