
(2023) 12 UK CK 0180

In the Uttarakhand High Court

Case No : First Bail Application No. 1730 Of 2023

Dikshant Saini

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

Date of Decision : 27-12-2023

Acts Referred:

Indian Penal Code, 1860 — Section 380, 398, 399, 400, 402, 427, 457, 511

Citation : (2023) 12 UK CK 0180

Hon'ble Judges : Ravindra Maithani, J

Bench : Single Bench

Advocate : Deepak Sharma, Vipul Painuly

Final Decision : Dismissed

Judgement

Ravindra Maithani, J

1. Applicant Dikshant Saini is in judicial custody in FIR No.103 of 2023, under Sections 457, 380, 398, 399, 400, 402, 427 and 511 IPC, Police Station Kankhal, District Haridwar. He has sought his release on bail.
2. Heard learned counsel for the applicant and perused the record.
3. According to the FIR, on 26.03.2023, police arrested the applicant and the co-accused, when they were attempting to loot one ATM. One of the co-accused was outside the ATM. The applicant was inside the ATM. One country made pistol along with cartridges was also recovered from the applicant.
4. Learned counsel for the applicant would submit that applicant is innocent; there is no CCTV footage; there is no independent witness.
5. Learned State Counsel would submit that it is a very serious offence. Applicant had gone to loot an ATM. He was arrested red handed. The applicant was inside the ATM, which was much damaged. There are CCTV footages also in which the applicant and other co-accused are seen having masked their faces.

6. It is a very serious offence. Looting an ATM collectively is the allegation against the applicant. He was arrested red handed from the ATM itself, which was in much destroyed condition.

7. Having considered, this Court is of the view that it is not a case fit for bail. Accordingly, the bail application deserves to be rejected.

8. The bail application is rejected.