
(2012) 03 UK CK 0089

In the Uttarakhand High Court

Case No : First Bail Application No. 1038 of 2011

Kala @ Kalia @ Kalwa @ Suraj

APPELLANT

Vs

State of Uttarakhand

RESPONDENT

Date of Decision : 16-03-2012

Acts Referred:

Penal Code, 1860 (IPC) — Section 120B, 201, 34, 396, 397

Citation : (2012) 2 UC 1286

Hon'ble Judges : Barin Ghosh, C.J

Bench : Single Bench

Final Decision : Allowed

Judgement

Barin Ghosh, C.J.—Heard Mr. Manish Arora, Advocate for the applicant and Mr. Prabhakar Joshi, Brief Holder for the State/Opposite Party. In connection with a case pertaining to dacoity and murder, applicant was arrested on 10th April, 2011, as his name came in course of investigation from the co-accused person. No recovery has been made from the applicant. The co-accused, who talked about involvement of the applicant, held out that another person fired upon, which caused the death. In the counter affidavit, it has been stated that the person injured in connection with the incident, identified the applicant and, accordingly, there was no necessity of a test identification parade. That suggests that no test identification parade of the applicant took place.

2. In the circumstances, the case for grant of bail has been made out. Bail application is allowed. Let the applicant be released on bail in connection with Case Crime No. 14/2011, U/Ss 396, 397, 201, 120B and 34 IPC, Police Station Shayampur, District Haridwar, upon furnishing a personal bond and two sureties of Rs. 25,000/- each to the satisfaction of the learned Chief Judicial Magistrate, Haridwar. Urgency application (IA No. 1289 of 2012) stands disposed of.