

(2011) 01 UK CK 0027

In the Uttarakhand High Court

Case No : First Bail Application No. 984 of 2010

Maser Ali

APPELLANT

Vs

State of Uttarakhand

RESPONDENT

Date of Decision : 06-01-2011

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 161
Penal Code, 1860 (IPC) — Section 420, 504, 506

Citation : (2011) 01 UK CK 0027

Hon'ble Judges : Prafulla C. Pant, J

Bench : Single Bench

Final Decision : Allowed

Judgement

Prafulla C. Pant, J.—Shri Tumul K. Nailwal, Advocate, present for the applicant.

2. Shri M.A. Khan, Brief Holder, present for the State.

3. Applicant- Maser Ali, who is in jail in connection with crime /FIR No. 93 of 2010, relating to offences punishable u/s 420, 504, 506 IPC, P.S. Nanakmatta, District Udham Singh Nagar, has sought his release on bail.

4. Heard learned Counsel for the parties.

5. Learned Counsel for the applicant submitted that the applicant is in jail for last four months. It is further submitted from the statement of witness Sant Singh (copy Annexure 2 to the petition), and that of witness Vasudev Singh recorded u/s 161 of Cr.P.C., show that payment of ` 1,000 (` one thousand only) per head was given by the villagers through Ishwar Wati (complainant). It is not clear as to why she became a intermediary in getting collected the amount for Indira Aavas Yojna, and gave to the applicant.

6. In the above circumstances, without expressing any opinion as to final merits of the case, this Court is of the view that applicant deserves bail.

7. The bail application is allowed. Let the applicant Maser Ali, be released on bail

on executing personal bond and furnishing two sureties, each of like amount to the satisfaction of Chief Judicial Magistrate, Udham Singh Nagar.