
(2021) 06 UK CK 0045

In the Uttarakhand High Court

Case No : First Bail Application No. 2455 Of 2020

Mohd. Akram

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

Date of Decision : 17-06-2021

Acts Referred:

Indian Penal Code, 1860 — Section 120B, 420, 467, 468, 471, 472
Information Technology Act, 2000 — Section 66C, 66D
Constitution Of India, 1950 — Article 21

Citation : (2021) 06 UK CK 0045

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Sarvesh Aggarwal, Sachin Panwar

Final Decision : Allowed

Judgement

Alok Kumar Verma, J

1. This bail application has been filed for grant of regular bail in connection with F.I.R. No.484 of 2020, registered with Police Station-Bazpur, District

Udham Singh Nagar for the offence punishable under Sections 420, 467, 468, 471, 472, 120B of I.P.C., Section 66C & Section 66D of the Information Technology Act.

2. On the secret information, 52 forged Ravanne (royalty slip), 9 fake pamphlets, 04 forged pan card, forged Registration Certificate, 05 rubber seal, 22 PVC card, 23 ATM card, one laptop and one printer were recovered from the possession of the present applicant on 01.11.2020.

3. Heard Mr. Sarvesh Aggarwal, the learned counsel for the applicant and Mr. Sachin Panwar, the learned Brief Holder for the State through video conferencing.

4. The learned counsel for the applicant submitted that the applicant has been implicated in the instant crime; he is an innocent person; no alleged

articles were recovered from the possession of the applicant; there was no public witness at the time of the alleged recovery; the applicant has no

criminal history; he is a permanent resident of District Udham Singh Nagar; he is in custody since 01.11.2020, charge sheet has already been filed,

therefore, there is no chance of tampering with the evidence and a co-accused has been granted bail by this High Court.

5. The learned Counsel appearing for the State opposed the bail application, however, he fairly conceded that the applicant has no criminal history.

6. Bail is the rule and committal to jail is an exception. Refusal of bail is a restriction on the personal liberty of the individual, guaranteed under Article

21 of the Constitution of India. The object of keeping the accused person in detention during the trial is not punishment. The main purpose is manifestly

to secure the attendance of the accused.

7. Having considered the submissions of the learned counsel for both the parties and in the facts and circumstances of the case, there is no reason to

keep the applicant behind the bars for an indefinite period, therefore, without expressing any opinion as to the merits of the case, this Court is of the

view that the applicant deserves bail at this stage.

8. The bail application is allowed.

9. Let the applicant be released on bail on his executing a personal bond and furnishing two reliable sureties, each in the like amount, to the satisfaction

of the court concerned with the following conditions :-

i) The applicant shall attend the trial court regularly and he shall not seek any unnecessary adjournment;

ii) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of this case.

10. It is clarified that if the applicant misuses or violates any of the conditions, imposed upon him, the prosecution will be free to move the court for

cancellation of bail.