

(2023) 05 UK CK 0001

In the Uttarakhand High Court

Case No : First Bail Application No. 176 Of 2023

Rajesh Gangwar S/o Gendan Lal

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

Date of Decision : 01-05-2023

Acts Referred:

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

Citation : (2023) 05 UK CK 0001

Hon'ble Judges : Vivek Bharti Sharma, J

Bench : Single Bench

Advocate : M. K. Ray, Siddhartha Bisht

Final Decision : Allowed

Judgement

Vivek Bharti Sharma, J

1. Applicant Rajesh Gangwar, who is in judicial custody in F.I.R. No. 40 of 2022, under Sections 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 record.

3. Learned counsel for the applicant would submit that 17 cases were pending against the applicant/accused and out of these 17 cases he has been acquitted in 13 cases and in rest of the 04 cases he has already been granted bail. He would further submit that he was falsely implicated in above four cases and prayed for bail.

4. Per Contra, learned State Counsel Mr. Siddhartha Bisht would submit that he is hardened criminal and has terror in the society and he has amassed lot of income and property from his criminal activities, but he would admit at Bar and have also stated in his counter affidavit in para-5 that only four cases are

pending against the applicant in which he is on bail and, in 13 other cases, he has been acquitted.

5. Having considered the entirety of facts, without expressing any opinion as to the final merits of the respective cases pending before the trial court, the applicant deserves to be enlarged on bail.

6. The bail application is, accordingly, allowed. Let the applicant be released on bail, on his executing a personal bond in amount of ₹ 50,000/- and furnishing two reliable sureties of the like amount to the satisfaction of the Court concerned.

7. All pending applications also stand disposed of.