HIGH COURT OF UTTARAKHAND AT NAINITAL

First Bail Application No. 895 of 2020

Shailash Kumar .....Applicant

Versus

State of Uttarakhand ….Respondent

Present:- Mr. Sandeep Adhikari, Advocate holding brief of Mr. Rajendra Arya, Advocate for the applicant.
Mr. Pratiroop Pandey, A.G.A for the State.

Hon'ble Ravindra Maithani, J.(Oral)

Applicant Shailash Kumar, who is in judicial custody in FIR No. 202 of 2019, under Sections 420, 467 468 and 471 IPC, Police Station Lalkuan, District Nainital, has sought his release on bail.

2. Heard learned counsel for the parties through video conferencing.

3. According to the FIR, two persons namely, Amit Verma, Mahendra Pratap and their associates cheated the informant. During investigation, it was revealed that a Ram Avtar impersonated as a Amit Verma and the present applicant introduced himself as Mahendra Pratap. This is recorded in the bail rejection order.

4. Learned counsel for the applicant would argue that co-accused Ram Avtar has already been granted bail. A copy of the bail order has been filed with urgency application. In fact, from the web application of the High Court, it reveals that the co-accused Ram Avtar has been granted bail, in BA1 No. 858 of 2020 by this Court.

5. On behalf of the State, it is argued that Ram Avtar and applicant's role is similar.

6. Co-accused Ram Avtar has already been granted bail and the role is not dissimilar. Having considered the submissions, under the facts and circumstances of the case, this Court is of the view that this is a case fit case for bail.

7. The bail application is allowed.

8. Let the applicant, namely Shailash Kumar be released on bail, on his executing a personal bond and furnishing two reliable sureties, each of the like amount, to the satisfaction of the Court concerned.

9. This bail order be forwarded to the concerned Court as well as the concerned jail through E-mail also.

(Ravindra Maithani, J.)
25.09.2020

Shubham