

HIGH COURT OF UTTARAKHAND AT NAINITAL

First Bail Application No.129 of 2024

AhsanApplicant

Versus

State of UttarakhandRespondent

With

First Bail Application No.372 of 2024

Mohammad UmerApplicant

Versus

State of UttarakhandRespondent

Present:-

Mr. R.P. Nautiyal, Sr. Advocate assisted by Ms. Garima Thapa, Advocate for the applicant.

Ms. Manisha Rana Singh, AGA for the State.

Mr. Gaurav Singh, Advocate for the informant.

Hon'ble Ravindra Maithani, J. (Oral)

Since both the bail applications arise from the same FIR, they are being decided by this common order.

2. Applicants Ahsan and Mohammad Umer are in judicial custody in Case Crime No.1495 of 2022, under Sections 147, 148, 149, 307, 323, 452, 504 and 506 IPC, Police Station Manglaur, District Haridwar. They have sought their release on bail.

3. Heard learned counsel for the parties and perused the record.

4. According to the FIR, on 11.12.2022, the applicant along with co-accused opened fire and attacked the informant with sharp edged weapon and injured. Shahrukh, Sher Mohammad alias Sher Khan and Riyazul suffered injuries.

5. Learned Senior Counsel appearing for the applicants would submit that no specific role has been assigned to applicant Ahsan. Ahsan also sustained injuries.

6. Learned State Counsel would submit that injured have categorically stated that applicant Mohammad Umer has a gun from which he fired at the injured, due to which, he sustained injuries. It is argued that the injury report supports the prosecution case.

7. Learned counsel for the informant also adopts the argument as advanced by the learned counsel for the applicants.

8. Having considered, this Court is of the view that insofar as, the applicant Ahsan is concerned, he is entitled to bail.

9. The bail application of applicant Ahsan is allowed.

10. Let the applicant Ahsan 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.

11. Applicant Mohammad Umer has been assigned a specific role of firing, due to which more than one person has sustained firearm injuries. There are injuries reports also.

12. Having considered, this Court is of the view that there is no ground to enlarge the applicant Mohammad Umer on bail. The bail application of Mohammad Umer is rejected.

(Ravindra Maithani, J)

20.03.2024

Ravi