HIGH COURT OF UTTARAKHAND AT NAINITAL

First Bail Application No. 775 of 2024

Murlidhar Kunwar @ Murari and another
.....Applicants

Versus

State of Uttarakhand and another .....Respondents

Present:-
Mr. Narendra Bali, Advocate for the applicant.
Ms. Manisha Rana Singh, AGA for the State.

Hon'ble Ravindra Maithani, J. (Oral)

Applicants Murlidhar Kunwar @ Murari and Krishna Mohan Kunwar are in judicial custody in connection with Complaint No. 76 of 2021 (Old Criminal Complaint No. 12/2016), Indu v. Murlidhar Kunwar @ Murari and another, for the offences punishable under Sections 376/34, 392 IPC, Police Station Kotwali Laksar, District Haridwar. They have sought their release on bail.

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

3. The case is based on a complaint. In the instant matter, the complainant has been issued notice, which has been served as per the Registry's report.

4. According to the FIR, on 09.01.2016, both the applicants visited the victim. The victim told that next

morning she has to go Laksar. The applicants offered her lift. Next day, the applicants took the victim with them, spiked her juice, took her in a sugarcane field and raped her. She was looted also. Victim gave a report on 12.01.2016, but no action was taken. Thereafter, a complaint was filed.

5. Learned counsel for the applicants would submit that the applicant no. 1 Murlidhar Kunwar @ Murari is the brother-in-law of the complainant; the complaint is much delayed; the complaint was already dismissed in non-prosecution, but the matter was remanded by the revisional court and thereafter cognizance has been taken. He would submit that parties are residents of Bihar; there are family disputes.

6. Learned State Counsel would submit that there are specific allegations against the applicants.

7. Having considered, this Court is of the view that it is a case fit for bail and the applicants deserve to be enlarged on bail.

8. The bail application is allowed.

9. Let the applicants be released on bail, on their executing a personal bond and furnishing two reliable

sureties, each in the like amount, by each of them, to the satisfaction of the court concerned.

(Ravindra Maithani, J)
16.08.2024

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