

HIGH COURT OF UTTARAKHAND AT NAINITAL

First Bail Application No. 2303 of 2022

Janardhan BinjolaApplicant

Versus

State of UttarakhandRespondent

Present:-

Mr. Mohd. Matlub and Mr. Prince Chauhan, Advocate for the applicant.

Mr. M.A. Khan, AGA with Mr. Vipul Painuli, Brief Holder for the State.

With

First Bail Application No. 2015 of 2022

Oparna Sangama alias DopiApplicant

Versus

State of UttarakhandRespondent

Present:-

Mr. Mohd. Matlub and Mr. Prince Chauhan, Advocate for the applicant.

Mr. M.A. Khan, AGA with Mr. Vipul Painuli, Brief Holder for the State.

Hon'ble Ravindra Maithani, J. (Oral)

Since both these bail applications arise from one and the same FIR, they are being heard together and decided by this common order.

2. Applicants Janardhan Binjola and Mr. Oparna Sangama alias Dopi are in judicial custody in Special Sessions Trial No. 98 of 2021 in connection with FIR/Case Crime No.283 of 2021, dated 18.07.2021, under Sections 376, 506 IPC and Sections 5/6 of The

Protection Of Children From Sexual Offences Act, 2012 (“the Act”) and Sections 376, 120-B IPC and Sections 16/17 of the Act respectively, Police Station Nehru Colony, District Dehradun. They have sought their release on bail.

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

4. It is argued that both the victims have not supported the prosecution case at trial; the informant has supported the prosecution case in her examination-in-chief, whereas in cross-examination she has not supported the prosecution case; there is no forensic, biological or electronic report.

5. Learned State counsel admits these facts.

6. Having considered, this Court is of the view that these are the cases fit for bail and the applicants deserve to be enlarged on bail.

7. The bail applications are allowed.

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

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

(Ravindra Maithani, J.)
17.05.2024

Sanjay