

HIGH COURT OF UTTARAKHAND AT NAINITAL

First Bail Application No. 1620 of 2024

Aditya PandeyApplicant

Versus

State of UttarakhandRespondent

Present:-

Mr. Mehboob Rahi, Advocate for the applicants.

Mr. S.C. Dumka, A.G.A. for the State.

First Bail Application No. 1715 of 2024

Pargat SinghApplicant

Versus

State of UttarakhandRespondent

Present:-

Mr. M.K. Ray and Mr. Harsh Taneja, Advocates for the applicant.

Mr. S.C. Dumka, A.G.A. for the State.

Hon'ble Ravindra Maithani, J. (Oral)

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

2. Applicants Aditya Pandey and Pargat Singh are in judicial custody in Case Crime No.378 of 2024, under Sections 118(2), 352 of the Bhartiya Nyaya Sanhita, 2023, Police Station Rudrapur, District Udham Singh Nagar. They have sought their release on bail.

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

4. According to the FIR, on 21.07.2024, at about 11:00 PM, when the informant along with his companions was on a duty in a mining check post, three persons came on a motorcycle and they had an altercation with the informant and his team members. They also threatened the informant and his team members that in case their vehicle is stopped, they would kill the informant and his team members. 30 minutes thereafter, the FIR records that both the applicants came at the mining check post again. They did *marpeet* with the informant and his team members and in that process, injured Vishal was hit by a brick.

5. Learned counsel for the applicants would submit that the informant has not supported the prosecution case at trial; one more alleged eye witness has also not supported the prosecution case at trial; the injured has not identified the applicants in his interrogation before the Investigating Officer; no Test Identification Parade has been conducted.

6. These facts are admitted by learned State Counsel.

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 applications are 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 one of them, to the satisfaction of the court concerned.

(Ravindra Maithani, J)
08.01.2025

Ravi Bisht

**RAVI
BISHT**

Digitally signed by RAVI BISHT
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