

HIGH COURT OF UTTARAKHAND AT NAINITAL

Second Bail Application No.302 of 2024

Arjun Sachdeva

.....Applicant

Versus

State of Uttarakhand

.....Respondent

Present:-

Mr. Rajat Mittal, Advocate for the applicant.

Ms. Manisha Rana Singh, Deputy Advocate General for the State.

Hon'ble Ravindra Maithani, J. (Oral)

Applicant is in judicial custody in FIR No.70 of 2023, under Sections 307, 323, 325 and 506 IPC, Police Station Patel Nagar, District Dehradun. He has sought his release on bail.

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

3. This is the second bail application of the applicant. The first bail application was dismissed as withdrawn on 22.03.2024.

4. According to the FIR, on 10.02.2023, in the midnight, at 1:30, when the injured Nisar was asleep in front of a shop, he was brutally assaulted by a sharp edged weapon by the applicant. Injured Nisar begged for his life. Not only he but his son also requested the applicant to stop beating his father, but the applicant continued, due to which he sustained injuries.

5. Learned counsel for the applicant would submit that there are three more persons named along with the applicant in the FIR, but they have been exonerated; the relatives of the injured had some altercation and scuffle with the applicant a day prior to the incident; the medical report records some head injuries that has not been so stated by the injured; the injuries are simple in nature. It is argued that it is a case fit for bail.

6. Learned State Counsel would submit that the injured and his son, both have supported the prosecution case. The medical report also supports it.

7. It is the stage of bail. Much of the discussion at this stage is not expected of. To the extent of appreciating the controversy, the matter may be examined with the caveat that any observation, made at this stage, shall have no bearing at any subsequent stage of the case.

8. The injured has categorically stated that the applicant assaulted him brutally by a sharp edged weapon and rod, due to which he sustained injuries. He was totally blood stained. No person came to save him due to the fear of the applicant.

9. The injured and his son, both have also supported their statements. There is injury report on record of Shri Guru Ram Rai Institute of Medical & Health Sciences, Shri Mahant Indiresht Hospital. It is dated 13.02.2023. There are multiple fractures. In fact, the opinion of neurosurgeon was also sought for head injury and loss of consciousness. According to the report, the injuries are grievous in nature.

10. Having considered, this Court is of the view that there is no ground to enlarge the applicant on bail.

11. The second bail application is rejected.

(Ravindra Maithani, J)
09.01.2025