

Basant and Others Vs. State of Uttarakhand Through District Magistrate, Dehradun

Basant and Others Vs. State of Uttarakhand Through District Magistrate, Dehradun

SooperKanoon Citation : sooperkanoon.com/1116049

Court : Uttaranchal

Decided On : Mar-05-2013

Judge : C. Prafulla Pant

Appeal No. : First Bail Application No. 294 of 2013

Appellant : Basant and Others

Respondent : State of Uttarakhand Through District Magistrate, Dehradun

Judgement :

Prafulla C. Pant, J.

For the Applicants: Sandeep Kothari, Advocate. For the Respondent: V.S. Pal, A.G.A.

1. Heard.

2) ApplicantsBasant, Anil Joshi, and Sanni Joshi who are in jail in connection with Crime No. 27 of 2013, relating to offence punishable under section 2/3 of U.P. Gangsters and Anti Social Activities (Prevention) Act, 1986, registered at Police Station Kotwali Dehradun, District Dehradun, have sought their release on bail.

3) Learned counsel for the applicants submitted that gang chart annexed with the first information report discloses that only one case of murder shown to have been registered in which present applicants were not named. It is further pointed out that no charge sheet was filed in said case against accused (present applicants) within a period of ninety days. Consequently, they were directed to be released on bail in said case.

4) Learned counsel for the applicants argued that only because said case of murder pertains to the wife of an Advocate, to keep the applicants behind the bar the present case under U.P. Gangsters and Anti Social Activities (Prevention) Act has been registered.

5) In the above circumstances, without expressing any opinion as to final merits of the case, this Court is of the view that applicants deserve bail.

6) Accordingly, the bail application is allowed. Let applicants Basant (S/o Ram Balak Soni), Anil Joshi (S/o Ram Kishan Joshi) and Sanni Joshi (S/o Nagesh Joshi) be 3 released on bail on executing personal bond by each one of them, and furnishing two sureties for each one of them, each of the like amount to the satisfaction of the concerned special court.

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com