
Sudhanshu Tyagi Vs State Of Uttarakhand

First Bail Application No. 2204 Of 2024

Court: Uttarakhand High Court

Date of Decision: Nov. 22, 2024

Acts Referred:

Bharatiya Nagarik Suraksha Sanhita, 2023 " Section 483#Bharatiya Nyaya Sanhita, 2023 " Section 3(5), 303(2), 317(2)

Hon'ble Judges: Alok Kumar Verma, J

Bench: Single Bench

Advocate: Anuj Kumar Dixit, Pankaj Joshi

Final Decision: Allowed

Judgement

Alok Kumar Verma, J

1. The present Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed for regular bail under Sections 303(2),

317(2) and Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 in connection with the First Information Report No. 752 of 2024, registered at police

station Bhagwanpur, District Haridwar.

2. The informant had gone to Bhagwanpur with his brother's bike (Registration No.UK17G-6912) on 08.08.2024, from where the said bike was

stolen. The First Information Report has been lodged on 26.09.2024. It is alleged that along with the said vehicle, other stolen vehicles were also

recovered from the possession of the applicant and co-accused.

3. Heard Mr. Anuj Kumar Dixit, learned counsel for the applicant and Mr. Pankaj Joshi, learned Brief Holder for the State.

4. Mr. Anuj Kumar Dixit, Advocate, for the applicant has contended that the applicant is a Security Guard in Ultimate Flexi Pack Private Limited

Company in S.I.D.C.U.L., Haridwar. He was on duty on 08.08.2024. He has been falsely implicated in this matter. The First Information Report has

been lodged with inordinate delay. He is in judicial custody since 27.09.2024. He is a permanent resident of District Saharanpur (Uttar Pradesh),

therefore, there is no likelihood of his absconding, and, he is not a previous convict.

5. On the other hand, Mr. Pankaj Joshi, Brief Holder has opposed the Bail Application orally. However, he submits, on instruction that the applicant

has not been convicted in any case.

6. Having considered the submissions of learned counsel for both the parties and in the facts and circumstances of the case, without expressing any

opinion as to the merit of the case, this Court is of the view that the applicant deserves bail at this stage.

7. The Bail Application is allowed.

8. Let the applicant "Sudhanshu Tyagi be released on bail on his executing personal bond and furnishing two reliable sureties, each in the like

amount, to the satisfaction of the court concerned.