
(2024) 11 UK CK 0147

Uttarakhand High Court

Case No: First Bail Application No. 1708 Of 2024

Badri Prasad

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

Date of Decision: Nov. 25, 2024

Acts Referred:

- Indian Penal Code, 1860 - Section 201, 302

Hon'ble Judges: Ravindra Maithani, J

Bench: Single Bench

Advocate: B.M. Pingal, Manisha Rana Singh

Final Decision: Allowed

Judgement

Ravindra Maithani, J

1. Applicant is in judicial custody FIR/Case Crime No. 622 of 2016, under Sections 302, 201 IPC, Police Station Kotwali Nagar, District Haridwar. He

has sought his release on bail.

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

3. According to the prosecution case, the applicant alongwith the co-accused and deceased checked-in a hotel. They killed the deceased Manish and

left the hotel. The dead body was concealed in the bed of the hotel, which was subsequently, detected.

4. Learned counsel for the applicant would submit that the applicant is in custody since 09.08.2017. Out of 16 witnesses, till date only 8 witnesses have been examined. It is a long period now.

5. Learned State counsel admits that the applicant is in custody since 09.08.2017. She also admits that out of 16 witnesses, till date 8 witnesses have

been examined.

6. Right to life and liberty also ensures right to fair and speedy trial. The applicant is in custody for more than seven years now. Out of total 16

witnesses, it is admitted that till date only 8 witnesses have been examined. The applicant may not be kept behind bar for an indefinite period so as to

await the conclusion of the trial.

7. Having considered the entirety of facts, this Court is of the view that the applicant deserves to be enlarged on bail.

8. The bail application is allowed.

9. Let the applicant be released on bail, on his executing a personal bond and furnishing two reliable sureties, each of the like amount, to the

satisfaction of the Court concerned.