



2025:UHC:11427

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

19TH DECEMBER, 2025

SECOND BAIL APPLICATION NO. 254 of 2025

Israr

....Applicant

Versus

State of Uttarakhand

....Respondent

Counsel for the Applicant : Mr. Alok Kumar, Advocate.

Counsel for the Respondent : Mr. Akshay Latwal, Assistant
Government Advocate.

Hon'ble Alok Kumar Verma, J.

The applicant – Israr is in judicial custody for the offence punishable under Section 363, 366A, 376DA, 376(2)(n) of the Indian Penal Code, 1860, Section 5(g)(l) read with Section 6 of the Protection of Children from Sexual Offences Act, 2012 in Case Crime No.105 of 2022, registered at Kotwali Jwalapur, District Haridwar.

2. The First Bail Application (BA1 No.43 of 2024) was rejected on 03.07.2024.

3. As per the prosecution, the victim was kidnapped and raped by the present applicant and co-accused persons for 17 days.

4. Heard Mr. Alok Kumar, learned counsel for the applicant and Mr. Akshay Latwal, learned Assistant Government Advocate for the respondent.

5. Mr. Alok Kumar, Advocate, appearing for the applicant, contended that the allegations against the



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applicant are totally false and concocted. As per the prosecution, the victim was kidnapped and raped by the present applicant and co-accused persons for seventeen days, but the medical report does not support the case of the prosecution. The medical report states that hymen was intact and there was no injury on the body of the alleged victim. The alleged victim has not supported the case of the prosecution in her statement, recorded under Section 164 of the Code of Criminal Procedure, 1973, and, as PW1 in her cross-examination. Applicant is a permanent resident of District Saharanpur, Uttar Pradesh, therefore, there is no chance of his absconding. He has no criminal antecedents. He is in custody since 05.03.2022, and, Kadir and Nadeem, the co-accused, have already been granted bail by this Court.

6. Learned counsel for the State has opposed the bail application.

7. The object of keeping the accused in detention during the trial is not punishment. The main purpose is manifestly to secure the attendance of the accused.

8. Having considered the submissions of learned counsel for both the parties and in the facts and circumstances of the case, no reason is found to keep the applicant behind the bars for an indefinite period, therefore, without expressing any opinion as to the merits of the case,



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this Court is of the view that the applicant deserves bail at this stage.

9. The Bail Application is allowed.

10. Let the applicant – Israr be released on bail on his executing a personal bond and furnishing two reliable sureties, each in the like amount, to the satisfaction of the court concerned.

ALOK KUMAR VERMA, J.

Dt: 19.12.2025
Pant/