



2025:UHC:10997

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

10th DECEMBER, 2025

FIRST BAIL APPLICATION NO. 2366 of 2025

Akram

....Applicant

Versus

State of Uttarakhand

....Respondent

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

Counsel for the Respondent : Mr. Deepak Bhardwaj, Brief Holder.

Hon'ble Alok Kumar Verma, J.

The applicant – Akram is in judicial custody for the offence punishable under Section 64 of the Bharatiya Nyaya Sanhita, 2023 and Section 3 read with Section 4 of the Protection of Children from Sexual Offences Act, 2012 in Case Crime No. 34 of 2025, registered at Police Station Kichha, District Udham Singh Nagar.

2. Heard Mr. Mani Kumar, learned counsel for the applicant and Mr. Deepak Bhardwaj, learned Brief Holder for the respondent.

3. Mr. Mani Kumar, Advocate, has contended that the allegations in the First Information Report are false and concocted. Applicant was not involved in the alleged offence. The alleged victim (PW1), aged about 13 years and her mother (PW2), the informant of the



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First Information Report have not supported the case of the prosecution. They turned hostile. Applicant has no criminal antecedents. He is a permanent resident of District Udham Singh Nagar, therefore, there is no possibility of his absconding, and, he is in judicial custody since 01.02.2025.

4. Mr. Deepak Bhardwaj, Brief Holder, has opposed the bail application orally. However, he has conceded that the victim and her mother have not supported the case of the prosecution.

5. The victim (PW1) has stated that her mother has lodged the First Information Report due to misunderstanding. The informant (PW2), the mother of the victim, has stated that she did not mention the name of the applicant to the police.

6. Bail is the rule and committal to jail is an exception. Refusal of bail is a restriction on the personal liberty of the individual, guaranteed under Article 21 of the Constitution of India. The object of keeping the accused person in detention during the trial is not punishment. The main purpose is manifestly to secure the attendance of the accused.

7. Having considered the submissions of learned counsel for both the parties and in the facts and



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

8. The Bail Application is allowed.

9. Let the applicant-Akram 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: 10.12.2025
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