



2026:UHC:443

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

10th JANUARY, 2026

FIRST BAIL APPLICATION NO. 5 of 2026

Rohit Pal alias Chotu

....Applicant

Versus

State of Uttarakhand and Another

....Respondents

Counsel for the Applicant : Ms. Amreen Bano, Advocate.

Counsel for the Respondents : Mr. Pradeep Lohani, Brief Holder.

Hon'ble Alok Kumar Verma, J.

Applicant Rohit Pal alias Chotu is in judicial custody for the offence punishable under Section 109(1) read with Section 3 (5), Section 309 (4) and Section 317(2) of the Bharatiya Nyaya Sanhita, 2023 in Case Crime No.49 of 2025, registered at Police Station Sitarganj, District Udham Singh Nagar.

2. According to the First Information Report, on 01.02.2025, Smt. Anju, sister-in-law (Bhabhi) of the informant saw that Rakesh, the brother of the informant, was lying on the ground covered in blood. The First Information Report was registered against the unknown person.

3. The prosecution has examined Smt. Anju (PW2). She has stated that she had seen the CCTV footage. One person's face was clearly visible in the CCTV footage but the faces of the other individuals were



not clearly visible. In the CCTV footage, they were using the name Rohit and other names to refer to one another.

4. Heard Ms. Amreen Bano, learned counsel for the applicant and Mr. Pradeep Lohani, learned Brief Holder for the respondent.

5. Ms. Amreen Bano, Advocate, has submitted that the applicant is not named in the First Information Report. He has been falsely implicated. No CCTV camera was installed at the scene of the incident. CCTV camera was installed nearby. Applicant has no criminal antecedents. He is a permanent resident of District Nainital, therefore, there is no possibility of his absconding, and, he is in custody since 20.05.2025.

6. Mr. Pradeep Lohani, Brief Holder, has opposed the bail application orally.

7. 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 in detention during the investigation 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



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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.

9. The Bail Application is allowed.

10. Let the applicant-Rohit Pal alias Chotu 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: 10.01.2026
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