

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S  2026:UHC:2531
			<u>BA1 No. 53 of 2026</u> Mukesh Kumar Applicant Vs. State of Uttarakhand Respondent <u>Hon'ble Ashish Naithani, J.</u> Mr. S.R.S. Gill, learned counsels for the Applicant. 2. Mr. Dinesh Chauhan, learned A.G.A. for the State of Uttarakhand. 3. The present Bail Application has been moved by the Applicant—Mukesh Kumar, aged about 26 years, S/o Shri Mukesh Kumar, R/o House No. 1, Type-II, Mela Hospital Campus. The Applicant is in judicial custody inconnection with Case Crime No. 379 of 2025, registered at Police Station Ranipur, District Haridwar, for the offences punishable under Section 103(1) of B.N.S., 2023. 4. Heard Mr. S.R.S. Gill, learned counsel for the Applicant, and Mr. Dinesh Chauhan, learned A.G.A. for the State. The record has been perused. 5. As per this Court's order dated 07.04.2026, whereby a CCTV footage said to be evidence in the present crime, recorded by a CCTV camera and further transmitted into a pen drive, was submitted before this Court but was not legible; a visible copy of the same through a pen drive has now been submitted to the Court. 6. Without going into details and without forming any opinion at this stage that may affect the merits of the case, a brief observation made by this Court while watching the CCTV footage so claimed shows that on 12.09.2025 at about 00:36 hours, a man dressed in a black T-shirt and black bottoms alights from the driver's seat of a white-coloured car. Thereafter, he opens the front passenger seat, takes out something, and places it beneath (not clearly visible, though it appears to be some object, but not identifiable). Thereafter, the visual

		shows the person dressed in black attire entering the premises, and later, a woman dressed in white, carrying a handbag, enters. Soon thereafter, the woman is again shown approaching the car and entering through the front passenger seat. Meanwhile, another person appears from behind; it is not clear from where he emerges, though he appears to come from the premises, stated to be a beauty parlour shop. The woman, carrying a brown-coloured handbag, sits in the front passenger seat. The man then takes his seat in the car and drives away. 7. The present matter relates to the murder of a young woman aged about 35 years, and the offence against the Applicant is under Section 302 IPC. 8. The main contention so advanced by learned counsel for the Applicant is that the matter is purely based on circumstantial evidence, and the sole ground from the side of the prosecution is the CCTV footage which the Court has just viewed. 9. The time of the incident is shown to be during the dark hours of the night, and the report has been lodged by the father of the victim/deceased. 10. Learned counsel for the Applicant submits that the whole case of the prosecution relies on the CCTV footage, whereby the Applicant is alleged to be shown entering the premises where the dead body of the deceased was found. Learned counsel further states that there is a witness named Manisha, who is shown to be living near the beauty parlour, the place of incident (crime scene). She is said to have witnessed a dispute arising between the Applicant and the deceased and has stated that she could often hear them shouting. Learned counsel further submits that as the CCTV footage, on which the prosecution is relying to show the Applicant as the main person behind the present crime, is not clear, the Applicant may be enlarged on bail. 11. Learned State Counsel, however, refutes the said submissions, submitting that the CCTV footage clearly shows that the person alights
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from a car, carries a kind of rod or stick, and leaves it at the doorstep of the place of crime, and later exits with another woman. It is further stated that, as per the post-mortem report, it is clear that the death was caused precisely at the same time as indicated in the CCTV footage, and the cause of death also relates to the deceased having succumbed due to injuries inflicted by a blunt object. It is therefore requested that the Applicant should not be enlarged on bail.

12. After hearing learned counsel for the parties and on perusal of the said CCTV footage, which needs to be corroborated and examined further by laboratory report, firstly, with regard to whether it is indeed taken from the CCTV footage and also the placement of the CCTV camera where it was installed, which be placed before the learned Trial Court, without going into details, a brief observation while contemplating the bail is that the CCTV footage placed before this Court appears to be shaky and unstable and also seems to be stitched together in two parts. Further, the person exiting the said premises is seen wearing a different shirt; it may be possible that he changed attire. It is not clear who the woman was, where she came from, and what object was placed behind the wall of the said premises, thereby creating doubt. This Court is of the view that the Applicant has made out a case for grant of bail.

13. Accordingly, the Bail Application is allowed.

14. Let the Applicant be released on bail upon executing a personal bond and furnishing two reliable sureties, each in the like amount, to the satisfaction of the Court concerned.

15. All pending applications, if any, stand disposed of.

(Ashish Naithani, J.)

08.04.2026

Shiksha