

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>BA 1st No.132 of 2026</u> "Anil Dhaundiya Vs. State of Uttarakhand" <u>Hon'ble Ashish Naithani, J.</u> Mr. Priyanshu Gairola, learned counsel for the Applicant. 2. Mr. Vikash Chauhan, learned Brief Holder, for the State of Uttarakhand. 3. In the High Court of Uttarakhand, the present case arises from Bail Application filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, seeking regular bail for the Applicant – Anil Dhaundiya, who has been accused in Case Crime No.19 of 2024, under Section 103 (1) of the BNS, at Police Station Thalisan, District Pauri Garhwal. 4. As per the FIR, the Applicant has been accused of causing the death of his own mother, and whereby the charge with the said offence as mentioned above has been levelled against the Applicant. 5. Learned counsel representing the Applicant contends for the consideration of the bail, at the outset, that the incident narrated in the FIR, whereby the Applicant in a drunken state has manhandled (beaten) the wife and after the mother intervened, he got more violent and dragged her outside beat her and resulting in her death, whereas during the course of the trial, the eye witness has turned hostile and does not support the prosecution story. 6. The statement of the wife have been annexed as Annexure no.4 page 14 as PW 1 – Nandini Dhaundhiyal, who in chief-examination submits ---"on the day of incident i.e. on 25.07.2024, her mother-in-law while ascending the stairs slipped due to slippery condition caused by the rain and fell on the heap of the woods below and got hurt and that is how she

died". The witness was declared hostile by the learned prosecution officer, and after having granted time to cross-examining the witnesses did not support the statement so given to the police.

7. Learned State Counsel, however, refutes to the said submission that even though the star witness/wife, who is seen the incident does not support the prosecution story, but still as per medical records it is evident that injuries caused the death of the mother of the Applicant tells another story and request that bail may be rejected.

8. After hearing the rival submissions made by the learned counsel for the parties, this Court is of the firm opinion that, at this juncture, the grounds for bail are found to be sufficient as the eye witness does not support the prosecution story and considering her testimony in totality, including the cross-examination the allegations so alleged against the Applicant/accused forms ground sufficient for consideration of the bail.

9. Considering the overall facts and circumstances of the case, the Applicant has made out a case for bail.

10. Accordingly, bail application is allowed. It is directed that the Applicant - Anil Dhaundiyal, who has been accused in Case Crime No.19 of 2024, under Section 103 (1) of the BNS, at Police Station Thalain, District Pauri Garhwal, be released on bail on furnishing a personal bond with two reliable sureties each in the like amount to the satisfaction of the concerned court. The Applicant shall cooperate with the trial proceedings and shall not misuse the liberty granted to him.

(Ashish Naithani, J.)

07.04.2026

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