



2026:UHC:949

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

16TH FEBRUARY, 2026

SECOND BAIL APPLICATION NO. 44 OF 2023

Ashish alias Kannu Applicant

Versus

State of Uttarakhand Respondent

Counsel for the Applicant : Mrs. Reema Rana, Advocate.

Counsel for the Respondent : Mrs. Manisha Rana Singh,
Deputy Advocate General

Hon'ble Alok Kumar Verma,J.

The applicant-Ashish alias Kannu is in judicial custody for the offence punishable under Section 302 and Section 120B of the Indian Penal Code, 1860 in Case Crime No.607 of 2018, registered at Kotwali Gangnagar, District Haridwar.

2. One Tirthpal Singh lodged an FIR to the effect that his brother Krishan Gopal was shot dead by unknown persons on 21.12.2018 at 04 p.m. The First Information Report was registered on 21.12.2018 at 21.46 hrs. The post-mortem examination of the dead body of the deceased was conducted on 22.12.2018. According to the post-mortem report, the cause of death was haemorrhagic shock due to ante-mortem



gunshot injury. A spent cartridge was seized from the spot. The co-accused Shekhar and the co-accused Aakash were arrested. On a secret information, the applicant was arrested on 25.12.2018 and after arresting the applicant, at his instance, a country made pistol of 315 bore and one spent cartridge were recovered from his terrace on 26.12.2018. The recovered pistol and spent cartridges were sent to the Forensic Science Laboratory for examination.

3. The First Bail Application (Bail Application No. 2492 of 2020) of the applicant was rejected on 06.07.2021.

4. Heard Mrs. Reema Rana, learned counsel for applicant and Mrs. Manisha Rana Singh, learned Deputy Advocate General for the respondent.

5. Mrs. Reema Rana, Advocate, contended that the applicant has been falsely implicated. He was not involved in the alleged offence. According to the prosecution, Tinku alias Rohit (PW9) was the only eye-witness of the said incident. But, Tinku alias Rohit (PW9) has not supported the case of the prosecution. He has stated that he could not identify the persons who shot the deceased. The alleged recovery has been shown by the prosecution four days after the alleged



incident. The alleged recovery was false and planted. Applicant is in custody since 25.12.2018. He is a permanent resident of District Haridwar, therefore, there is no possibility of his absconding, and, Shekhar, Aakash alias Gandasa, Angoori Devi and Salman, co-accused persons, have already been granted regular bail by this Court.

6. Mrs. Manisha Rana Singh, Deputy Advocate General has opposed the bail application and submitted that the examination report of the Forensic Science Laboratory supports the case of the prosecution.

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 person 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



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

9. The Second Bail Application is allowed.

10. Let the applicant-Ashish alias Kannu 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: 16.02.2026
JKJ/pant