

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS UKHC010028712026  2026:UHC:6639
			<u>UKHC010028712026</u> <u>BA1/296/2026</u> Ankush Kumar --Applicant Versus State of Uttarakhand --Respondent <u>Hon'ble Rakesh Thapliyal, J.</u> Mr. Vaibhav Singh Chauhan, learned counsel for the applicant. 2. Ms. Rangoli Purohit, learned AGA, for the State of Uttarakhand. 3. The present applicant - Ankush Kumar S/o Raj Kumar, is praying for bail in a reference to FIR dated 30.01.2025 bearing FIR No.35 of 2025, Police Station Kotwali Roorkee, District Haridwar, wherein, the present applicant has been implicated for the offences punishable under Sections 137 (2), 64 (2) (e) and 96 of BNS, 2023 read with Sections 5 (I)/6 of the POCSO Act. The FIR has been lodged by Mr. Mohan Lal, about missing report of her daughter since 29.01.2025. 4. It is argued by the learned counsel for the applicant that the applicant is innocent and in fact was in love with the victim, which she admits in her statement recorded under Section 183 of BNSS, 2023. He further submits that the applicant at the time of the alleged incident was of tender age of 18 years and the victim was also of tender age of 16 years, though minor, but she in her statement clearly stated that she known to the applicant since last more than one year and are friends and in talking terms. He further submits that the trial has already been commenced in which the victim was examined as PW1 on 08.12.2025, wherein, in reference to the question no.13, she has denied about any force from the side of the applicant with regard to the physical relationship. He submits that the applicant have no previous criminal history and is languishing in jail since 12.02.2025 i.e. more than one year and the trial has already been commenced but not concluded so far and the victim admits about the love affair with the applicant, therefore, the applicant be released on bail.

		5. On the other side, Ms. Rangoli Purohit, learned AGA, have not disputed that the trial has already been commenced and PW 1 was examined on 08.12.2025, and in reference to question no.13 she denied any forceful attempt from the side of the applicant, however, she submits that relevancy of such as statement is completely a subject matter of the trial, and cannot be examined in the bail application, however, she submits that the applicant has no criminal history and at the time of the incident, the applicant was also tender age of 18 years. 6. After hearing the submissions of the learned counsel for the parties, and taking into consideration that the applicant and victim, both were of tender age at the time of alleged incident and they known to each other and present applicant is languishing in jail since 12.02.2025 and have no criminal antecedents, therefore, this Court is of the view that the applicant deserves for bail. 7. Accordingly without expressing any opinion on the merits of the case, bail application is allowed. 8. Let the applicant - "Ankush Kumar", be released on bail, on his executing a personal bond and furnishing two reliable sureties, each of the like amount to the satisfaction of the Court concerned, subject to the following conditions:- (a) After being released on bail the applicant shall join the Trial Court proceedings on each and every date without seeking any unnecessary adjournment. (b) The applicant shall not give any threatening to the victim or to her family members and will not tamper with the evidence. (c) On breach of any such conditions, the prosecution is directed to move an application for cancellation of bail. (Rakesh Thapliyal, J.) 30.07.2026 Nitesh/
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