

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS UKHC010036642026  2026:UHC:6083
			<u>UKHC010036642026</u> <u>BA1/372/2026</u> Rohit Alias Baaju Alias Krisn --Applicant Versus State of Uttarakhand --Respondent <u>Hon'ble Rakesh Thapliyal, J.</u> Mr. Kushagra Saini, learned counsel for the applicant. 2. Mr. B.C. Joshi, learned AGA, for the State of Uttarakhand. 3. The present applicant - Rohit @ Baaju @ Krisn S/o Late Mangeram, is praying for bail in reference to FIR dated 20.02.2025 bearing FIR No.160 of 2025, Police Station Manglaur, District Haridwar, lodged by one Sahanspal, against unknown person for the offence punishable under Sections 103 (1) of BNS, 2023. On completion of the investigation, four persons including present applicant have been chargesheeted for the offences punishable under Sections 103 (1), 61 (2), 3 (5) of BNS, 2023 read with Section 25(1-B) (B) of Arms Act. 4. It is submitted by the learned counsel for the applicant that the present applicant is innocent and has been falsely implicated and is languishing in jail since 27.02.2025, and the chargesheet has already been filed on 13.05.2025, and the trial has already been commenced, however, out of total 20 prosecution witnesses, up till date only 2 prosecution witnesses has been examined. He further submits that the deceased himself was an accused with the charge of murder of son of the co-accused Sanjay Saini, in relation to FIR dated 29.06.2024. He also submits that there is no eye witness to the incident and on the disclosure of his name by the other co-accused, the applicant has been chargesheeted. He also submits that all other three accused persons has been enlarged on bail though from the two of the co-accused, namely, Deepanshu and Vikas Kumar @ Vikki, as per prosecution there is a recovery from their pointing out. He also submits that the recovery as shown on the pointing out of the present applicant is

		completely doubtful. He submits that the entire prosecution case is based upon circumstantial evidence. He also submits that the applicant has no criminal antecedents and is the resident of the same area where the deceased was residing and there is no evidence with regard to any such enmity of the applicant with the deceased. 5. On the other side, Mr. B.C. Joshi, learned AGA have not disputed that the chargesheet has already been filed and the trial has been commenced, and up till date, only two prosecution witnesses has been examined. He has also not disputed that the applicant has no previous criminal history and is languishing in jail since 27.02.2025 and other co-accused has been granted bail. 6. After hearing the submissions of the learned counsel for the parties, and taking into consideration that the trial has already been commenced, however, out of 20 prosecution witnesses only up till date two prosecution witnesses has been examined, and further taken into consideration that applicant has no criminal antecedents and is languishing in jail since 27.02.2025, and there is no need of further custodial interrogation when the trial has been commenced, 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 – Rohit @ Baaju @ Krisn, 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 Trial Court proceedings on each and every date without seeking any unnecessary adjournment. (b) The applicant after being released on bail will not make any attempt to influence the witnesses or to give any threat to them. (c) The applicant shall surrender his passport, if any, before the Trial Court.” (Rakesh Thapliyal, J.) 20.07.2026 Nitesh/
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