

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S  2026:UHC:3114
			<u>BA1 No. 401 of 2026</u> Akbar Applicant Vs. State of Uttarakhand Respondent <u>Hon'ble Ashish Naithani, J.</u> Mr. Gaurav Singh, learned counsel 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—Akbar, S/o Ninha, R/o Village Hazara Grant, Police Station SIDCUL, District Haridwar. The Applicant is in judicial custody in connection with FIR/Case Crime No. 355 of 2025, registered at Police Station SIDCUL, District Haridwar, for offences punishable under Sections 103(1), 61(2) of the B.N.S., 2023. 4. Heard Mr. Gaurav Singh, learned counsel for the Applicant and Mr. Dinesh Chauhan, learned A.G.A. for the State. Perused the record. 5. Learned counsel for the Applicant submits that the Applicant is not named in the FIR, as the FIR was lodged against unknown persons, and he has been falsely implicated in the present case. It is further submitted that there is a delay of two days in lodging the FIR and no explanation of such delay has been given. It is submitted that there is no eye witness of the alleged incident and the case rests upon circumstantial evidence, however, the chain of circumstances is not complete. It is also submitted that the Applicant was neither seen with the deceased prior to her death nor is there any other material on record showing his complicity in the alleged offence. 6. It is further argued that though the Applicant has been shown

			to have committed the murder in collusion with co-accused Soniya, the Applicant was not acquainted with the said Soniya and no material has been discovered showing any conspiracy between them for commission of the alleged offence. It is submitted that the Applicant has been implicated merely on the basis of statement allegedly given by co-accused Soniya while in police custody and apart therefrom there is no evidence linking the present Applicant to the alleged offence. It is also submitted that co-accused Soniya Kaur has already been granted bail by the learned Sessions Judge, Haridwar vide order dated 17.12.2025 and, therefore, the present Applicant is also entitled to be enlarged on bail on the ground of parity. 7. Per contra, learned A.G.A. opposed the bail application and submitted that during investigation, upon obtaining Panchayatnama and postmortem report of the deceased Neetu, it was observed that there were injury marks on the head of the deceased and the cause of death was ante-mortem head injuries and hemorrhagic shock. It is further submitted that the Applicant had illicit relationship with co-accused Soniya and because of the same, conspiracy to commit murder was hatched. It is also submitted that the investigating team recovered a <i>chapaad</i> (sharp-edged weapon), allegedly used in commission of crime, on the pointing out of the present Applicant and co-accused. 8. After hearing learned counsel for the parties and upon perusal of the record, this Court finds sufficient grounds to allow the bail application. <i>Prima facie</i>, the Applicant was not named in the FIR and his implication appears to have arisen during investigation. The prosecution case rests substantially on circumstantial evidence and the submissions regarding incompleteness of the chain of circumstances and implication based on statement of co-accused are
--	--	--	---

		matters which require appreciation during trial. Further, co-accused Soniya Kaur has already been enlarged on bail and the case of the present Applicant has been pressed on parity, which also merits consideration at this stage. Considering the nature of allegations, material brought on record, and without expressing any opinion on the merits of the matter, this Court is of the view that the present case is fit for grant of bail at this stage. 9. Accordingly, the Bail Application is allowed. 10. 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. 11. All pending applications, if any, stand disposed of. (Ashish Naithani, J.) 24.04.2026 Shiksha
--	--	---

--	--	--	--