

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

First Bail Application No. 408 of 2026

Jitendra Paswan Applicant

Vs.

State of Uttarakhand Respondent

With

First Bail Application No. 409 of 2026

Chiranjeet Goldar Applicant

Vs.

State of Uttarakhand Respondent

Presence Mr. Anoop Jaiswal , learned counsel for the Applicant.

Mr. Dinesh Chauhan, learned AGA assisted by Mr. J.P. Kandpal, learned AGA for the State.

Hon’ble Ashish Naithani, J (Oral)

The present two connected bail application has been filed by the Applicants namely Jitendra Paswan and Chiranjeet Goldar under under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking release on bail during trial in connection with FIR No.209 of 2025 dated 06.12.2025, registered under Sections 109(1), 115(2), 191(1), 191(2) and 191(3) of the Bharatiya Nyaya Sanhita, 2023 at Police Station Dineshpur, Udham Singh Nagar.

2. The State’s case in brief is that an FIR came to be lodged by the complainant, Tapan Sarkar, on 16.12.2025 alleging therein that on 05.12.2025 at about 9:15 p.m., when the wedding procession of his daughter was proceeding, the present applicants along with other co-accused persons, allegedly armed with knife, danda and sword, intercepted

the barat and assaulted the baratis. It has further been alleged that several persons sustained injuries in the said incident, out of whom one Abhishek received grievous injuries and had to be admitted to the hospital for medical treatment.

3. Upon completion of investigation, the Investigating Officer submitted charge-sheet against the present applicants and other co-accused persons under Sections 109(1), 115(2), 191(1), 191(2) and 191(3) of the Bharatiya Nyaya Sanhita.

4. Heard learned counsel for the parties and perused the records.

5. Learned counsel for the applicants submitted that the applicants have been falsely implicated in the present case and no specific role has been assigned to them in the FIR. It was argued that the allegations are general in nature and there was no premeditated intention on the part of the applicants to commit the alleged offence.

6. It was further contended that mere naming of several persons together in the FIR would not by itself establish common intention or common object.

7. Learned counsel also submitted that no recovery of any weapon has been made from the possession of the applicants and that the injuries allegedly sustained by the injured persons cannot specifically be attributed to the present applicants.

8. It was additionally argued that the applicants are innocent persons, have no criminal history, were not arrested from the spot and are languishing in jail since 07.12.2025.

9. Per contra, learned State Counsel opposed the bail applications and submitted that the present applicants, namely Jigendra Paswan and Chiranjeet Goldar, are specifically named in the FIR and the statements of the witnesses as well as injured witnesses recorded during investigation clearly support the prosecution version.

10. It was submitted that the injured witness Abhishek Dhali, in his statement recorded under Section 180 BNSS, has specifically narrated the role of the accused persons and attributed assault by knife to the accused persons.

11. It was further submitted that the medical reports annexed with the case diary prima facie establish that grievous injuries were sustained by the injured persons and the injured Abhishek Dhali had to remain admitted in the hospital and subsequently underwent surgery. The statements of the doctors recorded during investigation also indicate that the injuries sustained by the injured were grievous and dangerous to life.

12. Having heard learned counsel for the parties and upon perusal of the material available on record, this Court finds that the present applicants are specifically named in the FIR and the statements of the witnesses and injured witnesses recorded during investigation prima facie support the prosecution case. The medical reports annexed with the record also prima facie indicate that grievous injuries were caused to the injured persons, particularly to injured Abhishek Dhali. From the material collected during investigation, prima facie commission of the alleged offences is made out against the present applicants.

13. This Court is also conscious of the fact that the incident appears to have occurred on account of some altercation which took place at the time when the wedding procession was proceeding towards the village. However, without delving deeper into the merits of the case and considering the nature of allegations, the role attributed to the applicants, the statements of injured witnesses and the nature of injuries reflected in the medical reports, this Court is not inclined to enlarge the applicants, namely Jigendra Paswan and Chiranjeet Goldar, on bail at this stage.

ORDER

14. Accordingly, the bail applications are **rejected**.

(Ashish Naithani, J.)

19.05.2026

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