

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S  2026:UHC:2597
			<u>BA1 No. 468 of 2026</u> Khim Singh Bora alias Pabal alias Maitriy alias Prakash alias Rajan alias Vijay Pahru alias Prabhakar Applicant Vs. State of Uttarakhand Respondent <u>Hon'ble Ashish Naithani, J.</u> Ms. Pushpa Joshi, learned Senior Advocate assisted by Ms. Nipush Mola Joshi, learned counsel for the Applicant. 2. Mr. S.S. Chauhan, learned Deputy Advocate General assisted by Mr. Vikash Uniyal, learned Brief Holder for the State of Uttarakhand. 3. The present Bail Application has been moved by the Applicant, namely Khim Singh, also known as Pabal, Maitriy, Prakash, Rajan, Vijay Pahru, and Prabhakar, S/o Puran Singh Bora, R/o Palyuda, P.S. Someshwar, District Almora. The Applicant is in judicial custody in connection with FIR No. 709 of 2004 (S.T. No. 39 of 2022), registered at Police Station Nanakmatta, District Udham Singh Nagar, for the offences punishable under Sections 121, 121A, 124A, 153B of the IPC and Section 10/20 of the Unlawful Activities (Prevention) Act. 4. Heard Ms. Pushpa Joshi, learned Senior Advocate, assisted by Ms. Nipus Mola Joshi, learned counsel for the Applicant, and Mr. S.S. Chauhan, learned Deputy Advocate General, assisted by Mr. Vikash Uniyal, learned Brief Holder for the State. The record has been perused. 5. The Applicant is accused of involvement in various anti-social activities. It is alleged that he is an active Maoist and has links with Maoist groups operating in the forest areas of Village Ransali. He is stated to have been involved in Maoist activities,

		propagating Maoist ideology, and conducting anti-government meetings in nearby forest areas by organizing gatherings of local inhabitants. It is further alleged that he ran a temporary school in Village Haspur Khatta for about one year with the intention of establishing a training camp at Sau Futiya in April 2004 and was actively involved in spreading anti-government sentiments, intending to operate a concealed training camp in a remote forest location. 6. Ms. Pushpa Joshi, learned Senior Advocate, assisted by Ms. Nipus Mola Joshi, learned counsel for the Applicant, submits that the Applicant is not named in the FIR and has been falsely implicated. It is contended that he has no connection with the allegations levelled against him and that no recovery of any incriminating material has been made to link him with the alleged activities or ideology. It is further submitted that in the year 2021, a bailable warrant was issued against him, and after about fifteen years, he was arrested without any justifiable ground. It is also argued that the co-accused persons have already been acquitted of all the charges levelled against them. Further, it is submitted that after acquittal of the co-accused, the matter was carried before the High Court of Uttarakhand, which was rejected at the admission stage for lack of merit. Thus, it is prayed that since the Applicant has been falsely implicated and has no role in the alleged offences, he be enlarged on bail. 7. Per contra, learned State Counsel has strongly opposed the bail application, submitting that there are sufficient grounds and evidence against the Applicant. It is contended that the Applicant is the main person involved in spreading Maoist ideology and instigating the innocent villagers against the Government by propagating anti-government sentiments. When such activities came
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to light, including the organization of training camps for propagating Maoist ideology, the name of the Applicant surfaced, and warrants were issued against him. It is further submitted that the Applicant absconded and was apprehended only after about fifteen years, after which he was brought to trial. The trial is almost at the stage of completion, and if the Applicant is released on bail, there is a likelihood that he may abscond again and adversely affect the proceedings.

8. After hearing learned counsel for the parties, this Court finds that, at this stage, the grounds urged on behalf of the Applicant for grant of bail are well founded. Without expressing any opinion on the merits of the case, this Court is of the view that the Applicant has made out a case for grant of bail.

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, subject to the following conditions:

(i) The Applicant shall surrender his passport, if any, before the Court concerned.

(ii) The Applicant shall maintain peace and tranquillity during the pendency of the proceedings.

(iii) The Applicant shall not, directly or indirectly, make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer.

(iv) In case of breach of any of the aforesaid conditions, it shall be open to the prosecution to move an application for cancellation of bail.

11. All pending applications, if any, stand disposed of.

(Ashish Naithani, J.)

09.04.2026

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