



SL. No.	Date	Office Note, report, order or proceedings in decision and Registrar's order with Signature	
			<u>BA1/562/2026</u> Sarbhak Adhikari --Applicant Versus State Of Uttarakhand --Respondent With <u>BA1/566/2026</u> Piyush Singh @ Nepali --Applicant Versus State Of Uttarakhand --Respondent <u>Hon'ble Pankaj Purohit, J.</u> In view of the grounds stated, Delay Condonation Application (IA/1/2026) is allowed. Objection filed by the State in BA1 No.566 of 2026 is accepted on record. 2. Since both the bail applications arose out of one and the same FIR No.320 of 2025 for the offences u/s 115(2), 191(2), 324(2), 351(3), 352, 109(1), 3(5) of BNS, 2023 registered with P.S. Sitarganj, Distt. U.S. Nagar, therefore, both the applications are decided by this common order. 3. Applicants are under incarceration in respect of aforesaid FIR since 08.03.2026. The case of prosecution, as disclosed in the FIR, is that on 19.09.2025 at around 2:45 AM, informant was coming towards Meena Bazar in Sitarganj in his private vehicle bearing number UK04AM4912 along with Birju Pal and Piyush Pandey; suddenly a Scorpio Car



		having registration No.UK06BK8877 stopped the vehicle of informant; in the said Scorpio car, Jasvir Singh Chauhan @ Jassu, Farid @ Rehman, Nepali, Adhikari, Asif Ansari and 04 other persons were travelling; the said Scorpio car was being driven by Jasvir Singh Chauhan @ Jassu; as soon as the vehicle of informant got stopped, aforesaid accused persons came out of the vehicle holding Lathi, Danda and other illegal arms; the informant drove his vehicle towards reverse side; at this, Scorpio vehicle hit car of informant with intention to kill him which resulted into causing injuries upon the neck and hand of Birju Pal and suddenly the accused persons started beating the informant and his friends with Lathi and Danda; the informant then ran towards Roadways Depot to save his life; aforesaid accused persons then left the place threatening the informant. 4. Report of the incident was lodged by informant on 20.09.2025 at 20:31 hours at P.S. Sitarganj, District U.S. Nagar. 5. It is contended by learned Counsel for the applicants that it is a case of road accident and the informant has given it a colour of deliberate collision; he further submits that initially when the injured Birju Pal was taken to hospital, the incident was reported as traffic accident and subsequently, the accident was converted as an intentional attack upon the informant and his friends; he further submits that
--	--	--



		the applicants are under incarceration since 08.03.2026; charge-sheet has been submitted and there is no chance of tampering. 6. Per contra, learned Counsel appearing for informant submits that the photographs which have been supplied by him along with the counter affidavit clearly demonstrate that it was a case of blatant <i>Marpit</i> committed by applicants and their accomplice with the informant and his friends and it was not an accident; rather it was a deliberate attempt by the applicants and their accomplice to kill the informant and it is only for this reason, private vehicle of informant was hit from the rear side by Jasvir Singh Chauhan who was driving the vehicle. 7. Learned State Counsel also adopted the same line of arguments. He further added that after committing the alleged accident, applicants and their accomplice chased the informant who saved his life by hiding in Roadways depot. 8. Having considered the submissions advanced by learned Counsel for the rival parties and having considered the averments of the FIR, this Court is of the view that the applicants have already undergone more than four months' period under incarceration; secondly the photographs annexed with the counter affidavit only reflect that there appears to be some <i>Marpeet</i> between the parties but it does not appear as to whether Marpit was committed after accident,
--	--	--



		and/or it was intentional with the informant and his friends; and further, charge-sheet has now been submitted; there is no chance of tampering with the evidence; no direct role is assigned to the applicants; the allegations are general in nature; therefore, at this stage, this Court deems it expedient in the interest of justice to release the applicants on bail. 9. Accordingly, the bail applications are allowed. Let both the applicants, namely, Sarthak Adhikari and Piyush Singh @ Nepali be released on bail during the trial, on each of them executing personal bond(s) and furnishing two-two sureties, each of the like amount, to the satisfaction of the Court concerned. 10. Needless to observe that the averments made hereinabove are strictly for the purpose of granting bail and the same does not have any bearing on the merits of the trial. (Pankaj Purohit, J.) 15.07.2026 <i>R.Dang</i>
--	--	---

**RAJEEV
DANG**

Digitally signed by RAJEEV DANG
DN: c=IN, o=HIGH COURT OF UTTARAKHAND, ou=HIGH COURT OF UTTARAKHAND,
2.5.4.20=963da6fc6df8dbb91944e0c58b9ed259ec3d800f41
9a1199f15a3961c8ca2957, postalCode=263001,
st=UTTARAKHAND,
serialNumber=63F6E663A1DD44892EED6B81F043D778B37
D74D2DB7200F2DABC7ABCC1CA358D, cn=RAJEEV DANG
Date: 2026.07.16 11:17:30 +05'30'