



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>BA1/621/2026</u> Ankit Mistry --Applicant Versus State Of Uttarakhand --Respondent <u>Hon'ble Rakesh Thapliyal, J.</u> 1. Mr. Vikas Anand, learned counsel for the applicant. 2. Mr. Tumul Nainwal, learned A.G.A. for the State. 3. Present applicant Ankit Mistry is praying for bail in reference to FIR dated 02.07.2025 bearing FIR No. 194 of 2025, P.S. Transit Camp, District Udham Singh Nagar wherein the present applicant has been implicated for the offences punishable under Sections 137(2), 64, 351(2) of BNS read with Section 5/6 of the POCSO Act and Section 67B of the IT. Act. 4. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated which is evident from the FIR itself wherein it is clearly mentioned that since last two years the applicant known to victim but on the false pretext of marriage now the FIR has been lodged. He further submits that the same complainant who lodged the FIR against the applicant also lodged another FIR on 30.07.2023 implicating one Samrat Kanjilal for the offences punishable under Sections 363, 376, 506 IPC read with Section 5/6 of the POCSO Act in the same police station, i.e. P.S. Transit Camp wherein the same victim was examined before the Trial Court as PW1 and she disclosed her age 19 years in S.S.T. No. 876 of 2023, State vs. Samrat Kanjilal, and the accused Samrat Kanjilal was acquitted on 28.08.2025. He submits that the present FIR has been lodged during the pendency of the SST No. 876 of 2023, alleging therein that at the time of the incident the victim



		was 17 years old, though, in SST No. 876 of 2023 on 02.01.2024 she disclosed her age 19 years. Even otherwise he submits that the FIR itself reveals that only on the false pretext of marriage the applicant has been implicated. He submits that charge sheet has already been filed and trial has been commenced and the applicant is languishing in jail since 03.07.2025 and since trial has been commenced there is no need of further custodial interrogation of the applicant, therefore, applicant be released on bail. 5. On the other side, Mr. Tumul Nainwal, learned A.G.A. for the State submits that the age of the victim has been determined by the I.O. during investigation on the basis of school leaving certificate and during investigation it reveals that applicant already married and this fact he has not disclosed to the victim, however, he has not disputed that the charge sheet has already been filed and the trial has been commenced and the applicant has no criminal antecedent. 6. Having heard learned counsel for the parties and taking into consideration that charge sheet has been filed and the trial has been commenced and the applicant is languishing in jail since 03.07.2025 and no further custodial interrogation is required, this Court is of the view that the applicant deserves for bail. 7. Accordingly without expressing any opinion on the merit of the case the bail application is allowed. 8. Let the applicant 'Ankit Mistry' be released on bail on his executing a personal bond and furnishing two reliable sureties of the like amount to the satisfaction of the court concerned. (Rakesh Thapliyal, J) 18.06.2026 Parul
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