

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S  2026:UHC:4175
			<u>BA1 No. 742 of 2026</u> <u>Hon'ble Ashish Naithani, J.</u> Mr. Alok Kumar, learned counsel for the Applicant. 2. Mr. Pratiroop Pandey, learned A.G.A. for the State of Uttarakhand. 3. The present Bail Application has been moved by the Applicant—Prashant alias Sunny, S/o Kailash, R/o Village Mundlana, P.S. Kotwali Manglaur, District Haridwar, who is in judicial custody in connection with FIR/Case Crime No. 202 of 2025, registered at Police Station Kotwali Manglaur, District Haridwar, for offences punishable under Sections 103(1), 109(1), 190, 191(3), 352, 61(2) and 3(5) of the B.N.S., 2023. 4. Heard learned counsel for the parties and perused the record. 5. Learned counsel for the Applicant, while pressing the bail application, submitted that the Applicant has been falsely implicated in the present case and is in judicial custody since 03.03.2025. It is contended that there is a delay of one day in lodging the FIR and no reasonable explanation for such delay has been furnished therein. It is further contended that the manner in which the incident is alleged to have occurred, as narrated in the FIR, does not corroborate with the medical report as well as the post-mortem report, inasmuch as blackening and tattooing would occur only if the firearm injury had been caused from a very close range. It is also submitted that the statement of the injured, namely Tajim, makes it clear that there was no premeditation and that the incident occurred spontaneously. Learned counsel further submits that the specific role of firing, by which the deceased died and injuries were caused to the injured, has not been assigned to the present Applicant. It is also contended that

no motive for commission of the alleged offence by the present Applicant has been disclosed in the FIR and that the Applicant has no previous criminal history.

6. Per contra, learned State Counsel opposed the bail application contending that during the course of investigation, the weapon allegedly used in the crime along with two live cartridges was recovered from the possession of the present Applicant. It is submitted that the Applicant has committed a grave and serious offence and, therefore, does not deserve to be enlarged on bail at this stage.

7. After hearing learned counsel for the parties and upon perusal of the material available on record, this Court finds that, considering the overall facts and circumstances of the case, and without expressing any opinion on the merits thereof, the Applicant has been able to make out a fit case for grant of bail.

8. Accordingly, the Bail Application is allowed.

9. Let the Applicant be released on bail upon furnishing a personal bond and two reliable sureties, each in the like amount, to the satisfaction of the court concerned.

10. It is made clear that any observation made hereinabove is only for the purpose of adjudication of the present bail application and shall not be construed as an expression on the merits of the case.

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

(Ashish Naithani, J.)

26.05.2026

Shiksha

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