

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS UKHC010081992026  2026:UHC:7369
			<u>UKHC010081992026</u> <u>BA1/810/2026</u> Tara Singh Khadka --Applicant Versus State of Uttarakhand --Respondent <u>Hon'ble Rakesh Thapliyal, J.</u> Mr. Akshay Joshi, learned counsel for the applicant. 2. Mr. Pratiroop Pandey, learned AGA, for the State of Uttarakhand. 3. The present applicant - Tara Singh Khadka S/o Kido Khadka, is praying for bail in reference to FIR dated 30.07.2025 bearing FIR No.0093 of 2025, Police Station Kotwali Pithoragarh, District Pithoragarh, lodged by one Babita Tamta, whereby the present applicant is implicated for the offences punishable under Sections 64 (2) (k) and 74 of BNS, 2023, wherein, the chargesheet is filed and the trial is also commenced. 4. It is argued by learned counsel for the applicant that the present applicant is innocent and has been falsely implicated and the entire story is based upon certain CCTV footages but there is no FSL report with regards to the CCTV footages. Apart from this, he submits that the victim in her statement recorded under Section 183 of BNSS, 2023 have not support the case of the prosecution. He further submits that there is no medical report since the victim has not given consent for the medical examination and except based on CCTV footages, the applicant has been chargesheeted though there is no material with regard to sexual assault. He further submits that the present applicant is languishing in jail since 02.08.2025 and he has no criminal antecedents and there is no substantial progress in the trial, therefore, the applicant be released on bail. 5. On the other side, learned AGA have not disputed that the trial has already been commenced and also fairly submits that there is no medical examination of the victim and the present applicant is languishing in

		jail since 02.08.2025, and has no criminal antecedents. 6. After hearing the submissions of the learned counsel for the parties, and taking into consideration that the present applicant is languishing in jail since 02.08.2025 and the chargesheet is already filed and he has no criminal antecedents and even trial has been commenced and it has also been apprised by learned counsel for the parties that there is no substantial progress in the trial court proceedings, therefore, this Court is of the view that the applicant deserves for bail. 7. Accordingly without expressing any opinion on the merits of the case, the instant bail application is allowed. 8. Let the applicant - "Tara Singh Khadka", be released on bail, on his executing a personal bond and furnishing two reliable sureties, each of the like amount to the satisfaction of the Court concerned, subject to the following conditions:- (a) After being released on bail the applicant shall join the Trial Court proceedings on each and every date without seeking any unnecessary adjournment. (b) The applicant shall not tamper with the evidence or to threaten the witnesses acquainted with the facts of the case. (d) On breach of any such conditions, the prosecution is directed to move an application for cancellation of bail. (Rakesh Thapliyal, J.) 17.08.2026 Nitesh/
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