



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>BA2/71/2026</u> Sahib --Applicant Versus State Of Uttarakhand --Respondent <u>Hon'ble Alok Mahra, J.</u> Mohd. Safdar, Advocate for the applicant. Mr. Dinesh Chauhan, A.G.A. for the State of Uttarakhand. 2. This second bail application has been moved by the applicant seeking regular bail in F.I.R./Case Crime No.175 of 2025, under Sections 70(1), 61(2), 123, 115(2), 351(2), 352, 77 of B.N.S. and Section 67(A) of I.T. Act, registered at Police Station Kotwali Laksar, District Haridwar. Earlier, bail application moved by the applicant was dismissed by this Court on 22.04.2026. 3. The First Information Report was lodged by the complainant, who is the husband of the victim, alleging that the applicant administered an intoxicating substance to the victim by mixing it in a glass of juice consumed by her. It is further alleged that, after a few months, the victim received a call from one Sayyad and thereafter stayed at the house of the applicant on the pretext of treatment of her children. Subsequently, when the complainant, along with his relatives, visited the house of the applicant, they



		were allegedly threatened with dire consequences. During the course of investigation, statements of the victim were recorded under Sections 180 and 183 of the B.N.S.S., wherein she reiterated the allegations as set out in the F.I.R. 4. Learned counsel for the applicant submits that the applicant has been falsely implicated, has no criminal antecedents, and is in judicial custody since 08.02.2025. It is contended that the F.I.R. was lodged after an unexplained delay of about three months. It is further submitted that the medical evidence does not support the prosecution case, as the supplementary medical report neither detected spermatozoa nor gave any definite opinion regarding sexual assault. It is also argued that there are material contradictions in the statements of the victim and that no incriminating photographs or videos of the victim were recovered from the applicant's mobile phone. 5. Per contra, learned State Counsel opposes the bail application and submits that the mobile phone recovered from the applicant contains obscene photographs and videos of the victim, allegedly created and circulated by him. It is, therefore, contended that having regard to the gravity of the allegations and the material collected during investigation, the applicant does not deserve the concession of bail. 6. Having considered the rival submissions and the material available on record, this Court finds that the allegations against the applicant are of a serious nature. The victim has consistently supported the prosecution case in her statements recorded under
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			Sections 180 and 183 of the B.N.S.S. The plea regarding delay in lodging the F.I.R., the alleged contradictions in the victim's statements, and the medical evidence relied upon by the applicant are matters to be appreciated during trial. At this stage, the alleged recovery of obscene photographs and videos of the victim from the applicant's mobile phone lends prima facie support to the prosecution case. This Court further finds that no new ground has been urged in the present application warranting a departure from the earlier view. Accordingly, this Court is not inclined to enlarge the applicant on bail. 7. Consequently, without expressing any opinion on the merits of the case, the present bail application is, accordingly, rejected. (Alok Mahra, J.) 16.07.2026 <i>Arpan</i> ARPAN JAISWAL Digitally signed by ARPAN JAISWAL DN: cn=Arpan Jaishwal, o=UK High Court of Justice, ou=UK High Court of Justice, email=arpan.jaishwal@ukhc.org.uk, c=GB c=GB, o=UK High Court of Justice, ou=UK High Court of Justice, email=arpan.jaishwal@ukhc.org.uk, cn=Arpan Jaishwal Date: 2026.07.17 10:57:19 +05'30'
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