

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	UKHC010098382026  2026:UHC:7179 COURT'S OR JUDGE'S ORDERS
			<u>BA2/83/2026</u> Ravi Kumar --Applicant Versus State Of Uttarakhand --Respondent <u>Hon'ble Rakesh Thapliyal, J.</u> Mr. V.K. Gemini with Mr. Ashish Kumar Jemini, learned counsel for the applicant. 2. Mr. Pratiroop Pandey, learned AGA for the State. 3. Present applicant Ravi Kumar, S/o Sri Samay Singh is praying for bail in reference to first information report dated 04.12.2024 bearing FIR No.1014 of 2024, P.S. Manglaur, District Haridwar lodged by one Suresh Kumar against one unknown person for the offence punishable under Section 137(2) BNS, 2023. 4. It is a second bail application. First bail application was rejected by the Coordinate Bench on 02.01.2026. Now the instant second bail application is moved. 5. The FIR has been lodged about missing of the daughter of the informant, who was 17 years old and in afternoon somebody has informed to the informant that his daughter is jumped in Canal and when the informant searched there then one person namely, Viksa, S/o Brim Singh informed about this incident then during investigation applicant was arrested on 08.12.2024 and thereafter on completion of the investigation, the applicant is charge sheeted for the offences punishable

			under Sections 74, 78, 108, 137(2)(1) of BNS, 2023 read with Section 7, 8, 11(4) read with Section 12 and 16(r)/w and 17 of POCSO Act. 6. Learned counsel for the applicant submits that it is a case in which up till date dead body is not recovered and the applicant has been implicated only on the basis of the disclosure of his name by the sister of deceased, who has informed that her deceased sister was regularly in touch with the applicant through her mobile and infact they were in physical relation but when the deceased learnt that the applicant himself is a married person then she take such a drastic steps. 7. It is argued that there is no any link and direct evidence and only on the basis of disclosure of his name by the sister of the deceased, the applicant is implicated. He further submits that the present applicant already suffered long incarceration of more than one and half year since he is languishing in jail since 08.12.2024 and there are as many as 19 prosecution witnesses and up till date only 10 prosecution witnesses have been examined and there is no possibility that trial would be expedited soon and furthermore the applicant has no criminal antecedents, thereafter be released on bail. 8. On the other side, Mr. Pratiroop Pandey, learned AGA also submits that the charge sheet has already been filed though the dead body of the deceased is not recovered and on the basis of the statement of the other witnesses and one independent witness, the charge sheet has been filed. About the incarceration, which the applicant
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			has suffered, Mr. Pratiroop Pandey, learned AGA have not disputed on this and submits that the applicant is languishing in jail since 08.12.2024. 9. After hearing the submission of learned counsel for the parties and taking into consideration that applicant is languishing in jail since 08.12.2024 and the charge sheet has already been filed, therefore, this Court is of the view that since the applicant already suffered long incarceration of more than one and half year, the applicant deserves for bail. 10. Accordingly, without expressing any opinion on the merit of the case, the second bail application is allowed. 11. Let the present applicant-Ravi Kumar 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 on the following conditions: “i. Applicant shall join the trial court proceeding on each and every date without seeking any unnecessary adjournment. ii. The applicant shall surrender his passport (if any) within three days after being released on bail and will not leave the country without prior permission of the court concerned. iii. The applicant shall not indulge in any criminal activities and will not make any attempt to temper with the evidence. (Rakesh Thapliyal, J.) 12.08.2026
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