



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>BA2/89/2026</u> Sonu Alias Yogesh Kumar --Applicant Versus State Of Uttarakhand --Respondent <u>Hon'ble Rakesh Thapliyal, J.</u> Mr. Deepak and Mr. Ajay Joshi, learned counsel for the applicant. 2. Mr. Vijay Khanduri, learned Brief Holder for the State. 3. Present applicant Sonu Alias Yogesh Kumar, S/o Shri Nand Ram is praying for bail in reference to FIR dated 07.05.2025 bearing Case Crime No. 10 of 2025 on the basis of which he is facing trial for the offences punishable under Section 137(2), 65(1) of BNS 2023 read with Section 5/6 of POCSO, P.S. Thal, District Pithoragarh. 4. It is argued by learned counsel for the applicant that the present applicant is innocent and has been falsely implicated and though the victim was minor at the time of incident, but in fact the victim known to the applicant and they were



		friend which is evident from her statement recorded under Section 183 of BNSS 2023. He further submits that the medical report does not support the case of prosecution since, as per the medical report, hymen does not found to be torn. He further submits that the present applicant at the time of incident was of tender age of 19 years and is now languishing in jail since 08.05.2025. He further submits as per the charge sheet there are in total 15 prosecution witnesses but up till date only 6 prosecution witnesses have been examined and there is no possibility that the trial would be expedited soon. He submits that taking into consideration that at the time of the incident the applicant was of tender age of 19 years and the applicant and the victim were known to each other and friends therefore, the applicant may be released on bail. 5. On the other side, Mr. Vijay Khanduri, learned Brief Holder for the State have not disputed that the charge sheet has already been filed and as per the prosecution there are in total 15 prosecution witnesses and up till date only 6 prosecution witnesses have been examined. He further submits that the
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		present applicant is languishing in jail since 08.05.2025 and have no previous criminal antecedent. In reference to the medical he submits that though the hymen is not found to be torn but there was some redness in the private part. 6. After hearing the submissions of the learned counsel for the parties and taking into consideration that the trial has already been commenced and out of 15 prosecution witnesses up till date only six prosecution witnesses have been examined and there is no possibility that the trial would be expedited soon and furthermore the applicant has no previous criminal history and at the time of incident he was tender age of 19 years and now languishing in jail since 08.05.2025 and as per the statement of the victim both were known to each other, this Court is of the view that the applicant deserves for bail. 8. Accordingly, without expressing any opinion on the merit of the case, bail application is allowed. 9. Let the applicant Sonu Alias Yogesh Kumar, 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
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			concerned subject to the following conditions:- (i) After being released on bail, the applicant shall attend the trial court proceeding on each and every date without seeking unnecessary adjournment. (ii) The applicant shall not make any attempt to influence the witnesses and will not give any threatening to the victim and her family members. <u>(Rakesh Thapliyal, J.)</u> 24-07-2026 Nahid
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