



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>BA1/1202/2026</u> Musharraf --Applicant Versus State Of Uttarakhand --Respondent <u>Hon'ble Rakesh Thapliyal, J.</u> 1. Mr. Lalit Sharma and Ms. Suraiya Naaz, learned counsel for the applicant. 2. Mr. Tumul Nainwal, learned A.G.A. for the State. 3. The present applicant 'Musharraf' S/o Mohd. Aslam is praying for bail in reference to First Information Report dated 11.06.2026 bearing FIR No. 0044 of 2026 P.S. Banbassa, District Champawat, wherein, the present applicant is implicated for the offences punishable under sections 75(1)(i) of BNS, 2023 r/w section 7/8 of POCSO Act. 4. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated and the offences as alleged provides the maximum punishment of minimum three years upto 5 years and the charge-sheet has been filed, which is based upon only the statement of the victim and except this there is no evidence with the prosecution. He submits that the victim also residing in the same locality and the applicant is running a medical store and the victim and her sisters always take medicines from this shop and there was in fact some money dispute. He submits that the applicant has no criminal antecedent and is languishing in jail since 12.06.2026. 5. On the previous date, the matter was heard and the State was directed to get the instructions to apprise what material has been collected against the applicant and today Mr. Tumul Nainwal on written instructions apprise to this



		court that except the statement of the victim under section 183 of BNSS, 2023, there is no any concrete evidence, however the charge-sheet has been filed. He has also not disputed about the fact that the applicant has no previous criminal history. 6. After hearing the submission of learned counsel for the parties and taking into consideration that the charge-sheet has been filed and the applicant has no criminal antecedent and the charge-sheet is based upon only the statement of the victim and there is no other material though it is completely a subject matter of trial, this court is of the view that the applicant deserves for bail. 7. Accordingly, without expressing any opinion on the merit of the case the bail application is allowed. 8. Let the applicant 'Musharraf' be released on bail on furnishing his personal bond and two reliable sureties each of the like amount to the satisfaction of the court concerned subject to the following conditions: - That the applicant will not give any threat to the victim and her family members and shall join the Trial Court proceeding on each and every date without seeking any unnecessary adjournment. - After being released on bail the applicant shall not tamper any evidence and will not leave the country and surrender his passport, if any, to the Trial Court within three days. In breach of any such conditions as above the prosecution is free to move an application for cancellation of bail. (Rakesh Thapliyal, J.) 04.08.2026 PR
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