

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS UKHC010120522025  2026:UHC:6318
			<u>UKHC010120522025</u> <u>BA1/1404/2025</u> Bablu --Applicant Versus State of Uttarakhand --Respondent <u>Hon'ble Rakesh Thapliyal, J.</u> Mr. Prince Chauhan, learned legal aid counsel for the applicant. 2. Mr. B.C. Joshi, learned AGA, for the State of Uttarakhand. 3. The instant bail application has been moved through learned legal aid counsel seeking exemption from filing an affidavit. The objection was also invited. Now the objection has been filed. Exemption application is allowed. 4. The present applicant - Bablu S/o Amber, is praying for bail in reference to FIR dated 09.06.2024 bearing FIR No.380 of 2024, Police Station Patelnagar, District Dehradun, wherein, the present applicant has been implicated for the offences punishable under Sections 376(A) (B) and 506 of IPC read with Sections 5 (L)(M)(N)/6 of the POCSO Act. 5. It is argued by the learned counsel for the applicant that the applicant is the father of the victim and the FIR has been lodged by so-called uncle of the victim to whom he was some previous enmity and deliberately he lodged the FIR with the allegations that the present applicant commits sexual assault with her own daughter. He submits that story as cooked up is completely vague and frivolous, which is evident from the fact that there is great contradiction in the statement of the victim and the informant. He further submits that the present applicant was arrested on 11.06.2024 and his wife is no more and in fact he was looking after his minor daughter and the informant, who is so-called uncle of the victim always interfered into the day-to-day affairs. He further submits that though the victim, daughter of the applicant was minor at the time of alleged incident but the chargesheet has been filed in a

		very mechanical manner and the applicant is languishing in jail since last more than 2 years, and the trial has not been expedited so far and there is no possibility that the trial would be expedited soon, though the chargesheet was filed in the month of August, 2024, therefore, the applicant be released on bail. He further submits that the applicant has no previous criminal antecedents. He submits that since now the chargesheet has already been filed and the trial has been commenced, therefore, the applicant cannot be detained for an indefinite period, therefore, the applicant be released on bail. 6. On the other side, learned AGA have also not disputed that the present applicant is languishing in jail since 11.06.2024 i.e. more than two years and the applicant have no criminal antecedents. 7. After hearing the submissions of the learned counsel for the parties, and taking into consideration that present applicant is languishing in jail since 11.06.2024 and though the chargesheet has already been filed in the month of August, 2024, but there is no possibility that the trial would be expedited soon, and further the applicant has no criminal antecedents, this Court is of the view that the applicant deserves for bail. 8. Accordingly without expressing any opinion on the merits of the case, bail application is allowed. 9. Let the applicant - "Bablu", 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. (Rakesh Thapliyal, J.) 24.07.2026 Nitesh/
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