

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>UKHC010121052025</u> <u>BA1/1408/2025</u> Lavi Kumar --Applicant Versus State Of Uttarakhand --Respondent <u>Hon'ble Rakesh Thapliyal, J.</u> 1. Mr. S.R.S. Gill, learned counsel for the applicant. 2. Mr. Bhaskar Chandra Joshi, learned A.G.A. for the State. 3. The instant bail application is moved on behalf of the present applicant 'Lavi Kumar' S/o Avnish Kumar, who is implicated pursuant to First Information Report dated 15.06.2025 bearing FIR No. 0289 of 2025 P.S. SIDCUL, District Haridwar, lodged by one Suraj implicating the present applicant and four others <i>namely</i> Babu @ Shukla, Gaurav, Vineet Singh, Abhishek Kumar and one unknown person and subsequently on completion of the investigation in total eight persons including the present applicant were chargesheeted and the present applicant is chargesheeted for the offences punishable under sections 109, 115(2), 190, 191(2), 191(3), 351(3), 309(4) of BNS, 2023, r/w section 3/25 of Arms Act. 4. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated and though he is named in the FIR but no specific role has been assigned to him. He further submits that the injury of the injured are simple in nature. He further submits that the charge-sheet has been filed and the trial has already been commenced and there are in total 14 prosecution witnesses but uptill date only 3 prosecution witnesses have been examined. He further submits that the present applicant is languishing in jail since 16.06.2025. 5. He submits that since there is no substantial

			progress in the Trial Court proceedings and there is no possibility that the trial would be expedited soon and taking into consideration that the present applicant is in jail since last one year two months, the applicant be released on bail. 6. On the other side, learned A.G.A. submits that the applicant have criminal antecedents of eight cases out of which six cases relates to the State of U.P., therefore, enlarging the applicant on bail is not in the interest of society, however, he submits that if the applicant is enlarged on bail some stringent conditions may be imposed. 7. After hearing the submissions of learned counsel for the parties and taking into consideration that the trial has already been commenced but there is no substantial progress since out of 14 prosecution witnesses uptill date only 3 prosecution witnesses have been examined and the present applicant is languishing in jail since 16.06.2025, therefore, this court is of the view that the applicant deserve for bail but with some stringent conditions due to his past conduct so that the applicant may not indulge in any such criminal activity in future. 8. Accordingly, without expressing any opinion on the merit of the case, the bail application is allowed. 9. Let the applicant 'Lavi Kumar' be released on bail on furnishing his personal bond and furnishing two reliable sureties each of the like amount to the satisfaction of the court concerned subject to the following conditions: i. After being released on bail the applicant shall 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. ii. 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 after being released. iii. Applicant shall not indulge in any criminal activity in any part of the country and if it is found that he again indulged in such activity then the prosecution shall immediately inform to the concerned Trial Court so that the Trial Court may immediately take steps against the applicant.
--	--	--	---

			iv. The applicant shall report twice in a month i.e. on 01st day of every month and 15th day of every month to the nearest police station and he shall provide his contact number as well as contact number of his parents along with the address proof and the concerned S.H.O. shall record his presence twice a month on the day as mentioned above by maintaining register also so that he may be in strict surveillance of the concerned police station. v. If the applicant go outside the State he shall seek prior permission from the concerned S.H.O. In breach of any conditions as aforesaid the prosecution is directed to immediately move an application for cancellation of bail. These conditions shall continue till the conclusion of trial. (Rakesh Thapliyal, J.) 18.08.2026 PR
--	--	--	--