

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	UKHC010135262025  2026:UHC:7615 COURT'S OR JUDGE'S ORDERS
			<u>BA1/1601/2025</u> Akash Yadav --Applicant Versus State Of Uttarakhand --Respondent <u>Hon'ble Rakesh Thapliyal, J.</u> Mr. Abhishek Verma, learned counsel for the applicant. 2. Mr. B.C. Joshi, learned AGA for the State. 3. The instant bail application is moved on behalf of the present applicant-Akash Yadav, S/o Vishesh Yadav in reference to first information report dated 13.07.2025 bearing FIR No.0302 of 2025 P.S. Kashipur, District Udham Singh Nagar, lodged by one Amar Singh against Suraj, Aakash and one unknown person for the offences punishable under Sections 109, 115(2), 352 of BNS, 2023 and Section 3/25 of The Arms Act. 4. It is argued by learned counsel for the applicant that applicant is innocent and falsely implicated and is languishing in jail since 16.07.2025 i.e. for almost more than one year he is in jail and there is no substantial progress in the trial since out of 17 prosecution witnesses up till date only 2 prosecution witnesses have been examined, which as per the prosecution are the star witnesses and both the witnesses have been declared hostile by the trial court on 30.07.2026. He also submits that the injuries

			though are shown to be is gunshot injury but are simple in nature and not danger to the life and furthermore, the applicant have no previous criminal antecedents. He further submits that one another co-accused Aditya Saini with the identical role is already enlarged on bail by this Court on 17.07.2026, therefore, the present applicant deserves for the benefit of parity of other co-accused. 5. On the other side Mr. B.C. Joshi, learned AGA for the State submits that after collecting all the credible evidence charge sheet has been filed however he has not disputed that two prosecution witnesses have been declared hostile by the trial court on 30.07.2026. Apart from this, learned AGA has not disputed that there are in total 17 prosecution witnesses but uptill date only 2 prosecution witnesses have been examined and the applicant have not criminal antecedents. 6. After hearing the submissions of learned counsel for the parties and taking into consideration that the applicant is languishing in jail since 16.07.2025 and uptill date only two prosecution witnesses out of 17 prosecution witnesses have been examined who have been declared hostile by the trial court on 30.07.2026 and furthermore, the other co-accused is already enlarged on bail by this Court on 17.07.2026. , this Court is of the view that applicant deserves for bail. 7. Accordingly, without expressing any opinion on the merit of the case, the bail application is allowed. 8. Let the present applicant-Akash Yadav be released on bail on his executing a
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			personal bond and furnishing two reliable sureties of the like amount to the satisfaction of the court concerned. 9. It is made clear that after being released on bail the applicant shall join trial court proceeding on each and every date without seeking any unnecessary adjournment and shall not leave the country without prior permission of the Court. 10. In breach of any such conditions as aforesaid, the prosecution is free to move an application for cancellation of bail. (Rakesh Thapliyal, J.) 21.08.2026 Arti
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