

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>BA2/131/2026</u> Sagar --Applicant Versus State Of Uttarakhand --Respondent <u>Hon'ble Rakesh Thapliyal, J.</u> 1. Mr. Narendra Bali, learned counsel for the applicant. 2. Mr. B.C. Joshi, learned AGA for the State. 3. Ms. Sukhwani Singh, learned counsel for the complainant. 4. First bail application was rejected by this Court on 16.06.26. 5. The instant second bail application has been moved by the applicant - Sagar, son of Manchand, in reference to FIR dated 05.03.2026 bearing F.I.R. No. 84 of 2026 registered at Police Station – SIDCUL, District – Haridwar wherein present applicant has been implicated and charge sheeted for offences punishable under Section 115 (2), 190, 191 (2) (3), 333, 351 (2), 351 (3), 109 (1) and 3 (5) BNS, 2023. 6. It is argued by the learned counsel for the applicant that the incident is nothing but a fight in between two groups of persons and as per FIR, 20 persons were present at the time of incident and even as per FIR, however, no specific role has been assigned to the person, who are named in the FIR and in total 11 persons have been charge sheeted, out of which, five persons have already been enlarged on bail. He further submits that first bail application was rejected on the ground that he has criminal antecedents of six cases, though however, there are only two criminal antecedents, which relates to Gambling Act, in which he is already bailed out. He further submits that applicant is languishing in jail since 08.03.2026. 7. On the other side, Ms. Sukhwani Singh, learned counsel for the complainant submits that the applicant played an active role in the incident in comparison to the other co-accused, who have been granted bail, therefore, present applicant cannot be given parity with other co-accused, who have been granted bail. However, in reference to criminal antecedents, she submits that there are three criminal cases against the present applicant, two relates to the Gambling Act and third relates to present

			FIR. She further submits that if the applicant is enlarged on bail, there is possibility that he may affect the on going trial, therefore, while granting the bail some stringent conditions may be imposed. 8. On the other side, learned AGA submits that after collecting all credible evidence, charge sheet has been filed and the applicant played an active role in the incident. He further submits that part pending investigation is also pending against some of the co-accused. He has not disputed that applicant has already been enlarged on bail in two cases relating to the Gambling Act. 9. After hearing the learned counsel for the parties and taking into consideration that the charge sheet has already been filed against the applicant and other five co accused person have already been enlarged on bail and no specific role has been assigned to each of the accused, who are charge sheeted, this Court is of the view that the applicant deserves bail. Accordingly, without expressing any opinion on the merit of the case, the instant second bail application is allowed. 10. Let the applicant "Sagar, son of Manchand" be released on bail, on executing personal bond and furnishing two reliable sureties, each of like amount, to the satisfaction of Court concerned, subject the following conditions:- i. The applicant shall join the trial Court proceedings on each and every date without seeking any unnecessary adjournment. ii. The applicant shall surrender his passport, if any, within three days from his release and shall not leave the country without prior permission of the Court. iii. The applicant shall not give any threatening to the victim or his family members and will not make any attempt to temper with the evidence. iv. The applicant shall also cooperate with the part pending investigation. iv. It is further made clear that if the applicant misuses or violates any of the conditions, imposed upon him, the prosecution is free to move for cancellation of bail. (Rakesh Thapliyal, J.) 21.08.2026 SKS
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