

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS UKHC010148832026  2026:UHC:7664
			<u>UKHC010148832026</u> <u>BA1/1446/2026</u> Vivek Kumar --Applicant Versus State of Uttarakhand --Respondent <u>Hon'ble Rakesh Thapliyal, J.</u> Mr. Lalit Sharma, learned counsel for the applicant. 2. Mr. Tumul K Nainwal, learned AGA for the State of Uttarakhand. 3. The present applicant – Vivek Kumar S/o Pooran Singh, is praying for bail in reference to FIR dated 25.06.2026 bearing FIR No.07 of 2026, Police Station Vigilance Establishment, Sector Nainital, Haldwani, wherein, the present applicant is implicated and chargesheeted for the offence punishable under Section 7 of the Prevention of Corruption Act, 1988 (as amended in 2018). 4. It is argued by learned counsel for the applicant that the applicant is serving as a Junior Engineer in Panchayati Raj Department and the complainant was the registered contractor and on completion of his work all pending dues were cleared and as on date when the complaint was made there was no any pending dues of the complainant, despite this with the ulterior purposes or motive, he made a complaint on the basis of which the FIR was registered and the trap was conducted, which is highly doubtful. He also submits that since there was no any pending dues of the complainant, therefore, there is no any question of raising any demand, and as such, no offence is made out against the applicant. He submits that the entire service record of the applicant is unblemished and neither he was facing any departmental proceedings or have been implicated in any criminal case and in the present case he is languishing in jail since 30.06.2026. He also submits that the applicant has no criminal antecedents and in this particular case the chargesheet is already filed, therefore, he may be enlarged on bail.

		5. On the other side, learned AGA submits that after gone through with the complaint of the complainant the trap was conducted and there is no any procedural lapse and the applicant was caught red handed, and there are credible evidences against the applicant, which are sufficient for his conviction. He further submits that though there was no any pending dues but under the garb of the completion of measurement book of the complainant, the applicant raised the demand. 6. After hearing the submissions of the learned counsel for the parties, and taking into consideration that the present applicant is a public servant and his entire service record is unblemished and he has no criminal antecedents and is languishing in jail since 30.06.2026, and in this particular case, the chargesheet has already been filed and there is no need of further custodial interrogation, this Court is of the view that the present applicant deserves for bail. 7. Accordingly without expressing any opinion on the merits of the case, the instant bail application is allowed. 8. Let the applicant - "Vivek Kumar", 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, subject to the following conditions:- a) After being released on bail the applicant shall join the Trial Court proceedings on each and every date without seeking any unnecessary adjournment. (b) On breach of any such conditions, the prosecution is directed to move an application for cancellation of bail. (Rakesh Thapliyal, J.) 24.08.2026 Nitesh/
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