

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S  2026:UHC:3478
			<u>BA1 No. 2083 of 2025</u> Gulzar Applicant Vs. State of Uttarakhand Respondent <u>Hon'ble Ashish Naithani, J.</u> Mr. Mohd. Safdar, learned counsel for the Applicant. 2. Mr. Deepak Bisht, learned Deputy Advocate General assisted by Mr. Vikash Uniyal, learned Brief Holder for the State of Uttarakhand. 3. Mr. Pranav Singh, learned counsel for the Complainant. 4. The present Bail Application has been moved by the Applicant—Gulzar, aged about 25 years, S/o Gulbahar, R/o Mohalla Pathanpura, Manglaur, Police Station Manglaur, District Haridwar. The Applicant is in judicial custody in connection with Case Crime No. 409 of 2025 (Sessions Trial No. 86 of 2025), registered at Police Station Manglaur, District Haridwar, for offences punishable under Sections 103(1), 109(1), 115(2), 190, 191(2), 191(3), 351(2), and 3(5) of the B.N.S., 2023. 5. Heard Mr. Mohd. Safdar, learned counsel for the Applicant, and Mr. Deepak Bisht, learned Deputy Advocate General assisted by Mr. Vikash Uniyal, learned Brief Holder for the State. Perused the record. 6. Learned counsel for the Applicant submits that the Applicant is not depicted in the CCTV footage as carrying any knife, nor is he shown attacking, assaulting, or causing any injury to the deceased or the injured persons. It is further submitted that upon perusal of the post-mortem report of the deceased as well as the medical reports of the injured persons, namely Samad Khand, Salman, and Uvesh, it is evident that neither the deceased nor any of the injured persons sustained any grievous injury caused by a blunt weapon. It is further submitted that the grounds of arrest were never communicated to the

Applicant, as mandated under Article 22(1) of the Constitution of India. Learned counsel further submits that no weapon or other incriminating article has been recovered at the instance of the Applicant. It is also submitted that the Applicant has no criminal antecedents and the prosecution has failed to establish any motive attributable to the Applicant for the alleged offence.

7. Learned counsel for the Applicant further submits that the co-accused, namely Abdul Rehman, has already been granted bail by this Court vide order dated 10.03.2026 and the case of the present Applicant stands on identical footing. On the ground of parity also, the Applicant is entitled to be enlarged on bail.

8. Learned State Counsel opposed the Bail Application; however, he fairly admits that the case of the present Applicant stands on parity with the co-accused who has already been enlarged on bail.

9. Having heard learned counsel for the parties and upon perusal of the material available on record, this Court finds that the co-accused having similar role has already been granted bail by this Court. Furthermore, no specific overt act causing injury has been attributed to the present Applicant and no incriminating recovery has been effected from his possession. At this stage, without expressing any opinion on the merits of the case, this Court is of the view that the Applicant has made out a fit case for grant of bail.

10. Accordingly, the Bail Application is allowed.

11. Let the Applicant—Gulzar be released on bail upon executing a personal bond and furnishing two reliable sureties, each in the like amount, to the satisfaction of the Court concerned.

12. All pending applications, if any, stand disposed of.

(Ashish Naithani, J.)

07.05.2026

Shiksha

