



2026:UHC:2921

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			BA1 No.2250 of 2025 with BA1 No.2098 of 2025 <u>Hon'ble Alok Mahra, J.</u> Mr. Raj Kumar Singh and Mr. Aditya Pratap Singh, Advocates for the applicants. Mr. Piyush Garg, Advocate for the respondent. 2. First bail application (BA1 No.2250 of 2025) has been moved by the applicant seeking regular bail in F.I.R./Case Crime No.RC00072025A0004, under Section 7 of Prevention of Corruption Act, 1988, registered at Police Station C.B.I., A.C.B., Dehradun. First bail application (BA1 No.2098 of 2025) has been moved by the applicant seeking regular bail in F.I.R./Case Crime No.RC00072025A0004/2025, under Section 7 of Prevention of Corruption Act, 1988 (as amended in 2018) & 61(2) of B.N.S., 2023 (subsequently added in THE charge sheet), registered at Police Station C.B.I./S.P.E./A.C.B., Dehradun. 3. Learned counsel for the applicants submits that the applicants have been falsely implicated in the present case, possess no criminal antecedents, and are in judicial custody since 15.07.2025. It is contended that the essential twin ingredients of "demand" and "acceptance" of illegal gratification, which are sine qua non for constituting an offence under the provisions of the Prevention of Corruption Act, are conspicuously absent in the present matter. It is further submitted that there is no material on record establishing any nexus or meeting of minds between Shashank Singh Rathore and Yogesh in respect of the alleged demand and acceptance. Learned counsel further submits



		that the charge-sheet has already been filed on 31.08.2025 and charges have been framed, and therefore, the entire evidence sought to be relied upon by the prosecution stands crystallized. It is argued that the applicants are no longer required for custodial interrogation and there is no likelihood of their tampering with evidence or influencing witnesses, particularly when the trial is likely to take considerable time to conclude. It is also pointed out that the punishment prescribed for the alleged offence ranges between three to seven years, and prolonged incarceration of the applicants would amount to pre-trial punishment. 4. Per contra, learned counsel for the respondent submits that a bare perusal of Section 7 of the Prevention of Corruption Act would indicate that even a demand of illegal gratification is sufficient to attract the provisions of the said section, and the prosecution shall establish both demand and acceptance during the course of trial. 5. Having considered the rival submissions and perused the material on record, this Court finds that the applicants have remained in custody for a substantial period; the investigation stands concluded and charge-sheet has already been filed. The evidence is documentary in nature and within the control of the prosecution, thereby minimizing the possibility of tampering. There is no material brought on record to demonstrate that the applicants have any criminal antecedents or that they are likely to abscond or misuse the liberty of bail. The trial is not likely to conclude in the near future, and continued detention would not serve any fruitful purpose. 6. Accordingly, without expressing any opinion on the ultimate merits of the matter, this Court is of the considered view that the applicants have made out a case for grant of bail at this stage. The bail
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			applications are allowed. 7. Let the applicants-Yogesh and Shashank Singh Rathore be released on bail, on executing personal bond by each one of them and furnishing two reliable sureties by each one of them, each of like amount, to the satisfaction of Court concerned. (Alok Mahra, J.) 21.04.2026 <i>Arpan</i> ARPAN JAISWAL Digitally signed by ARPAN JAISWAL DN: cn=ARPAN JAISWAL, o=JUDICIAL, ou=JUDICIAL, email=ARPAN.JAISWAL@JUDICIAL.GOV.IN, c=IN Reason: I am the author of this document. Unique identifier: 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