



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>BA1/2229/2025</u> Pankaj Bharti --Applicant Versus State Of Uttarakhand --Respondent <u>Hon'ble Rakesh Thapliyal, J.</u> 1. Mr. Nandan Arya, learned counsel for the applicant. 2. Mr. Himanshu Sain, learned AGA for the State. 3. Present applicant "Pankaj Bharti, son of Kanhai Lal", is praying for regular bail in reference to FIR dated 06.08.2024 bearing FIR No. 209 of 2024 registered at Police Station – Transit Camp, District – Udham Singh Nagar, which was lodged against unknown persons for the offence punishable under Section 140 (3) BNS. The FIR reveals that a missing report was lodged by the father of the victim regarding missing of his two daughters, one major and one aged about 16 years. Present applicant, his brother Shivam Bharti and one Vicky were arrested on 13.08.2024 and subsequently, a charge sheet was filed against them for the offences punishable under Section 137 (2), 87, 65 (1), 62 (2) of BNS, 2023 and under Section 5 / 6 of the POCSO Act. 4. It is argued by the learned counsel for the applicant that applicant is innocent and has been falsely implicated, which is evident from the statement of doctor, who was examined by the trial court as PW3 on 22.03.2025. He further submits that other co-accused have already been enlarged on bail and elder sister of the victim has now married with elder brother of the present applicant Shivam Bharti, who is also co-accused and applicant is languishing in jail since 13.08.2024 and applicant has no previous criminal



		antecedents and there are 11 prosecution witnesses, out of which, till date only 4 prosecution witnesses have been examined and there is no possibility that trial would be expedited soon. He further submits that during the medical examination, victim has not disclosed the name of the applicant. 5. On the other side, learned State Counsel have not disputed that other co-accused have already been enlarged on bail and elder sister of the victim is also married with co accused Shivam Bharti, elder brother of the present applicant and applicant has no previous criminal antecedents and charge sheet has already been filed and applicant is languishing in jail since 13.08.2024. 6. After hearing the rival submissions of learned counsel for the parties and taking into consideration that applicant has no previous criminal antecedents and is languishing in jail since 13.08.2024 and out of the 11 prosecution witnesses, till date only 4 prosecution witnesses have been examined, therefore, there is no possibility that trial would be expedited soon and furthermore, other co-accused have already been enlarged on bail, 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 applicant "Pankaj Bharti, son of Kanhai Lal", be released on bail on furnishing his personal bond and two sureties, each of the like amount to the satisfaction of the court concerned. (Rakesh Thapliyal, J.) 20.07.2026 SKS
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