



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>BA1/2245/2025</u> Arun --Applicant Versus State Of Uttarakhand --Respondent <u>Hon'ble Rakesh Thapliyal, J.</u> 1. Mr. Rachit Manglik, learned counsel for the applicant. 2. Mr. Vijay Khanduri, learned Brief Holder for the State. 3. The instant bail application is moved on behalf of the applicant 'Arun' S/o Raja for seeking regular bail in reference to First Information Report dated 04.08.2025 bearing Case Crime No. 223 of 2025, P.S. Kankhal, District Haridwar, wherein, the present applicant is chargesheeted for the offences punishable under sections 64(1) of BNS, 2023 r/w section 3(a)/4, 13(1) and 14(1) of POCSO Act. 4. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated, which is evident from the fact that no such video clip has been recovered by the Investigating Agency though the entire prosecution story is based upon a video clip. 5. Apart from this, he submits that the charge-sheet has already been filed and at the time of the incident the applicant was 21 years old and the victim was also more than 16 ½ and only because of the reason that the applicant is residing in the same locality he has been implicated. He further submits that the doctors has not given any definite opinion with regard to the sexual assault though as per the medical report the hymen is found to be torn. 6. Apart from this, he submits that there is no substantial progress in the trial and only a formal witnesses have been examined and there is no



		possibility that the trial would be expedited soon. He further submits that the applicant has no criminal antecedent and now he has suffered incarceration of more than one year since he is languishing in jail from 06.08.2025, therefore, he may be released on bail taking into consideration that at the time of incident he was of tender age. 7. On the other side, learned Brief Holder has not disputed that at the time of the incident the applicant was of a tender age of 21 years and the victim was more than 16 ½ years and the doctor has not given any definite opinion with regard to the sexual assault though as per the medical report the hymen is found to be old torn and furthermore charge-sheet has already been filed and the applicant has no previous criminal history. 8. After hearing the arguments of learned counsel for the parties and after taking into consideration that the charge-sheet has already been filed and the trial has been commenced and the present applicant has already suffered incarceration of more than one year, therefore, this court is of the view that the applicant deserves for bail. 9. Accordingly, without expressing any opinion on the merit of the case, the bail application is allowed. 10. Let the applicant 'Arun' be released on bail on furnishing his personal bond and two sureties each of the like amount to the satisfaction of the court concerned subject to the following conditions: i. The applicant will not give any threat to the victim and her family members and shall join the Trial Court proceeding on each and every date without seeking any unnecessary adjournment. In breach of the conditions as above the prosecution is free to move an application for cancellation of bail. (Rakesh Thapliyal, J.) 14.08.2026 PR
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