



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>UKHC010211882025</u> <u>BA1/2545/2025</u> Umesh and another --Applicants Versus State Of Uttarakhand --Respondent <u>Hon'ble Rakesh Thapliyal, J.</u> 1. Mr. Saurabh Kumar Pandey, learned counsel for the applicants. 2. Mr. Vijay Khanduri, learned Brief Holder for the State. 3. Mr. Mohit Kumar Kashyap, learned counsel for the complainant. 4. Present applicants Umesh and Ramesh, S/o Balasheesh who are the real brother are praying for bail in reference to FIR dated 27.06.2025 bearing FIR No. 0114 of 2025 registered at P.S. Pantnagar District Udham Singh Nagar lodged by one Jyoti Kumari D/o Shri Prayag Prasad implicating the present applicants, their parents or their wives and sons for the offences punishable under Sections 109, 115(2), 191(2), 351(3) and 352 of BNS 2023. 5. It is argued by the learned counsel for the applicants that the applicants are innocent and have been falsely implicated and the FIR has been lodged with the malafide intent since there was some old enmity in between them because in one of the incident regarding which the FIR was lodged bearing Case Crime No. 34 of 2012 all the family members of the complainant were convicted by the Trial Court on 15.06.2022 in



		Criminal Case No. 13293 of 2013 for the offences punishable under Sections 323, 325, 504 and 506 of IPC. He submits that the present FIR has been lodged after their conviction and in fact the injured sustained the injuries due to an accident but the informant who is the daughter of the injured make out a case of attempt to murder. He submits that during investigation one of the co-accused Rahul was already exonerated but all others have been charge sheeted. He further submits that the other co-accused Sachin Kumar, the son of the present applicant was enlarged on bail by the Coordinate Bench on 05.12.2025 in Bail Application No. 2079 of 2025 and the three other co-accused namely Archana Kumari, Smt. Anju Devi and Smt. Leelawati were granted interim bail on an Anticipatory Bail Application No.927 of 2025 by the Coordinate Bench vide order dated 14.08.2025. He further submits that both the present applicants are languishing in jail since 11.09.2025 and the charge sheet has already been filed and have no criminal antecedent. 6. Mr. Mohit Kumar Kashyap, learned counsel for the complainant submits that the injuries are grave in nature and in the most vital part of the body and after collecting all credible evidence the charge sheet has been filed and taking into consideration the nature of injuries, the applicants does not deserve for bail, however, he has not disputed that one of the co-accused, the son of the present applicant is already enlarged on bail and three female co-accused have also been granted interim bail by the Coordinate Bench. He has also not disputed that entire member of the one family has been charge sheeted and he has also not disputed that in previous case which was lodged from the
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			side of the applicants in the year 2012 in 2023 the trial court convict the entire family of the informant. 7. On the other side, Mr. Vijay Khanduri, learned Brief Holder for the State submits that after collecting all credible evidence, charge sheet is filed however is not disputed this fact that the applicants have no previous criminal antecedent and are languishing in jail since 11.09.2025. 8. After hearing the submissions of the learned counsel for the parties and taking into consideration that the both the present applicants are the real brother and the entire family has been roped in the investigation and charge sheeted and are languishing in jail since 11.09.2025 and have no criminal antecedent, therefore, this Court is of the view that the applicants deserve for bail. 9. Accordingly without expressing any opinion on the merit of the case, the bail application is allowed. 10. Let the applicants Umesh and Ramesh be released on bail on their 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:- (i) After being released on bail, the applicants shall attend the trial court proceeding on each and every date without seeking unnecessary adjournment. (ii) The trial court will proceed with the trial without being influence with the observation as above. (Rakesh Thapliyal, J.) 23-07-2026 Nahid
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