2025:UHC:9391

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

27th OCTOBER, 2025

FIRST BAIL APPLICATION NO. 1869 of 2025

Chandan Saxena .....Applicant

Versus

State of Uttarakhand .....Respondent

Counsel for the Applicant	:	Mr. Mohit Bhauryal, Advocate with Mr. Divyanshu Suman, Advocate.
Counsel for the Respondent	:	Mrs. Sweta Badola Dobhal, Brief Holder.

Hon'ble Alok Kumar Verma,J.

The applicant – Chandan Saxena is in judicial custody for the offence punishable under Section 123 and Section 305(c) of the Bharatiya Nyaya Sanhita, 2023 in Case Crime No. 8 of 2025, registered at GRP Kathgodam, District Nainital.

2. According to the respondent, the informant gave intoxicant in cold drinks to the informant Ashish Singh and his friend Vineet on 25.03.2025 and stole Rs.5,000/-, a mobile phone and other articles. FIR was registered against the unknown person. Applicant was arrested. Charge-sheet has been filed.

3. Heard Mr. Mohit Bhauryal, learned counsel for the applicant and Mrs. Sweta Badola Dobhal, learned Brief Holder for the respondent.

4. Mr. Mohit Bhauryal, Advocate, contended that the applicant has been falsely implicated by the police. He was not involved in the alleged offences. There is no evidence regarding intoxication. Applicant is not a convicted person. He is a permanent resident of District Bareilly, Uttar Pradesh, therefore, there is no possibility of his absconding. Charge-sheet has already been filed, therefore, there is no chance of tampering with the evidence, and, the applicant is in judicial custody since 11.06.2025.

5. Mrs. Sweta Badola Dobhal, Brief Holder for the respondent, on instructions, has opposed the bail application orally.

6. Bail is the rule and committal to jail is an exception. Refusal of bail is a restriction on the personal liberty of the individual, guaranteed under Article 21 of the Constitution of India. The object of keeping the accused person in detention during the trial is not punishment. The main purpose is manifestly to secure the attendance of the accused.

7. Having considered the submissions of learned counsel for both the parties and in the facts and circumstances of the case, no reason is found to keep the applicant behind the bars for an indefinite period,

therefore, without expressing any opinion as to the merits of the case, this Court is of the view that the applicant deserves bail at this stage.

8. The Bail Application is allowed.

9. Let the applicant-Chandan Saxena be released on bail on his executing a personal bond and furnishing two reliable sureties, each in the like amount, to the satisfaction of the court concerned.

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ALOK KUMAR VERMA, J.

Dt: 27.10.2025
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