SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	UKHC010013762026 2026:UHC:10198 COURT'S OR JUDGE'S ORDERS
			BA2/19/2026 Anshul Rathi --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Rakesh Thapliyal, J.** Mr. Tapan Singh, learned counsel for the applicant. 2. Mr. G.S. Sandhu, learned Addl. Advocate General assisted by Mr. Deepak Bhardwaj, learned Brief Holder for the State. 3. Mr. Akshay Pradhan, learned counsel for the complainant. 4. The instant second bail application is moved on behalf of the applicant Anshul Rathi, S/o Bijendra Rathi for seeking bail in relation to Case Crime No.329 of 2024 wherein he is facing trial in Session Trial No.121 of 2024 State vs. Anshul Rathi & others for the offences punishable under Sections 147, 148, 149, 302, 323, 452, 504, 506, 34 and 120-B of IPC, P.S. Kotwali Manglaur, District Haridwar. 5. The first bail application was rejected by this Court on 13.05.2025. 6. Now the instant second bail application has been moved on the ground that the applicant suffered incarceration of more than two years as he is languishing in jail since 13.05.2024 and there is no substantial progress in the trial since out of 30 prosecution witnesses uptill date only four

			prosecution witnesses have been examined and in future there is no possibility that trial would be expedited soon. Learned counsel submits that applicant have no previous criminal history and since there is no substantial progress in the trial, therefore, applicant cannot detain for an indefinite period. Apart from this he submits that other four co-accused Rajesh Kumar, Dheeraj, Kulveer and Vidhu Rathi have already been enlarged on bail and role of the applicant is almost identical to those co-accused, who have been enlarged on bail and so far as the recovery of stick is concerned, the same is doubtful though it is subject matter of trial. He also apprise that as per the prosecution, the main accused is Nakul, whose bail is already rejected by this Court. 7. On the other side Mr. G.S. Sandhu, learned Addl. Advocate General have not disputed that uptill date only four prosecution witnesses have been examined and he also fairly submits that there is no such possibility that trial would be expedited soon since out 30 prosecution witnesses only four prosecution witnesses has been examined. Apart from this, he has not disputed that the other four co-accused have already been enlarged on bail. So far as the identical role of the applicant with the other co-accused, who have been enlarged on bail, he has some reservation by saying that there is no recovery of the stick from the possession of the applicant, therefore, his role is different to the other co-accused and as such, he cannot claim the parity of other co-accused, who have been enlarged on bail.

			8. On the other side Mr. Akshay Pradhan, learned counsel for the complainant submits that there is no fresh ground in the instant second bail application and the first bail application was rejected by a reasoned order and his role is not identical to the other co-accused, who have been released on bail, therefore, he does not deserve for bail. 9. Heard the submissions of learned counsel for the parties undisputedly, there is no substantial progress in the trial since out of 30 prosecution witnesses uptill date only 4 prosecution witnesses have been examined, therefore, there is no possibility that trial would be expedited soon. So far as the role of the applicant is concerned, this Court is not making any comment on this because it is subject matter of trial, however it is settled principle of law that no one can be detained for an indefinite period, therefore, taking into consideration that the applicant suffered incarceration of more than two years and further he has no criminal history, this Court is of the view that applicant deserves for bail. 10. Accordingly, without expressing any opinion on the merit of the case, the instant second bail application is allowed. 11. Let the present applicant-Anshul Rathi be released on bail on his executing a personal bond and furnishing two reliable sureties of the like amount to the satisfaction of the court concerned subject to the following conditions:- i. After being released on bail the applicant shall surrender his passport, if any, with the trial court within three days.

			ii. After being released on bail, the applicant shall join trial court proceeding on each and every date without seeking any unnecessary adjournment. iii. Applicant shall not make any attempt to threaten any of the whiteness or to temper with the evidence. **(Rakesh Thapliyal, J.)** 04.11.2026 Arti