SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			BA1/336/2026 Nadeem --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. Gaurav Singh, learned counsel for the applicant. Mr. Manoj Bhatt, learned Brief Holder for the State of Uttarakhand. 2. The present bail application has been filed by the applicant, who is in judicial custody in connection with FIR/Case Crime No. 839 of 2025, registered at Police Station Laksar, District Haridwar, for the offences punishable under Sections 127(2), 137(2), 333, 87, 70(2), 351(2) and 352 of the Bharatiya Nyaya Sanhita, 2023, and Sections 5(g)/6 of the Protection of Children from Sexual Offences Act, 2012. 3. Heard learned counsel for the applicant and learned State Counsel and perused the material available on record. 4. As per the prosecution case, the applicant, along with other co-accused persons, allegedly kidnapped the victim while she was sleeping inside her house along with her four siblings. It is further alleged that the applicant, with the assistance of the co-accused persons, blindfolded the victim and stuffed a piece of cloth into her mouth so as to prevent her from raising an alarm. Thereafter, she was taken to a flour mill situated in the village, stated to belong to the applicant's uncle, where she was allegedly sexually assaulted by co-accused Kurban. 5. Learned counsel for the applicant submits that there are material contradictions and inconsistencies in the prosecution version, particularly between the complaint, the statement of the victim recorded before the doctor, her statements recorded under Sections

			180 and 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023, and the statements of the complainant, who is the elder brother of the victim. It is submitted that, in her statement before the doctor, the victim stated that she was alone at home at the relevant time. However, the complainant, who is her elder brother, stated that he had recovered the victim from the company of the applicant and other co-accused persons. On the other hand, in his statement recorded by the police, he stated that he had not seen any of the accused persons at the spot. Learned counsel, therefore, contends that these material discrepancies in the statements of the victim and the complainant create serious doubt regarding the prosecution version. 6. It is further submitted that, as evident from the medical report, no external or internal injuries were found on the person of the victim. Learned counsel contends that the aforesaid circumstances, coupled with the inconsistencies in the prosecution evidence, render the prosecution version doubtful, at least for the purpose of consideration of the present bail application. It is also submitted that the applicant has been in judicial custody since 31.01.2026. 7. Per contra, learned State Counsel has opposed the prayer for grant of bail. 8. Having considered the rival submissions advanced by learned counsel for the parties and upon perusal of the material available on record, this Court is of the considered view that the applicant has made out a case for grant of bail. 9. Accordingly, without expressing any opinion on the merits of the case, this Court is inclined to enlarge the applicant on bail. The bail application is, accordingly, allowed. 10. Let the applicant 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, subject to the following conditions:

			(i) The applicant shall regularly attend the proceedings before the learned Trial Court and shall not seek any unnecessary adjournment. (ii) The applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade such person from disclosing such facts to the Court or to any police officer. (iii) The applicant shall not leave the country without obtaining prior permission of the learned Trial Court. 11. It is clarified that, in the event of misuse of the liberty of bail or violation of any of the conditions imposed hereinabove, the complainant/informant shall be at liberty to move an appropriate application before the competent Court seeking cancellation of the applicant's bail. **(Alok Mahra, J.)** 19-11-2026 SB