SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			UKHC010063852026 **BA1/638/2026** Ashish Singh Alias Ashu --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Ms. Neeti Rana, Advocate for the applicant. 2. Mr. Manoj Bhatt, A.G.A. for the State. 3. The applicant, who is in judicial custody in connection with FIR/Case Crime No. 893 of 2024, under Sections 376(2)(n), 323, 506 of IPC and Section 5(l)(o) and 6 of POCSO Act, registered at P.S.-Jwalapur, District Haridwar, has sought his release on bail. 4. As per the prosecution story, initially, a complaint was filed by the complainant against the applicant alleging therein that applicant, who was owner of the dance classes, was sexually assaulting the complainant continuously for the last two years. Though, she was attending the said dance classes for past three-four years and whenever the complainant refused to make physical relations with him, on every occasion, he would threaten her of dire consequences that he would make her videos viral and on one occasion, when the complainant accidentally checked the phone of the applicant, she discovered chats of the one another girl in the phone of the applicant. Thereafter, applicant assaulted the complainant severely and when the complainant inquired that girl, she told the complainant that the applicant

			is also continuously assaulting her too and also committed force abortion of her. After investigation, chargesheet has been filed in the matter. Statements of the victim were recorded, wherein, she reiterated the fact, as narrated in her complaint. In her statement, she has further added that initially she was drugged and in the influence of drugs, she was sexually assaulted by the applicant. 5. Learned counsel for the applicant submits that phone of the applicant was also confiscated, but, no incriminating evidence was discovered from the phone of the applicant, as has been narrated in the prosecution story; that besides this, the fact that the complainant was attending classes for past more than four years and she did not report of the said act until she attain majority is highly improbable and unbelievable and despite the fact that applicant was sexually assaulting her for last more than two years, the complainant and another girl mentioned in the FIR both have kept mum; that additionally, there is no medical report or any other corroborating and substantiating material on record to support the prosecution story; that statement of PW1 has already been recorded and there is no chance of tampering with the evidence or influencing the witnesses and since the applicant is languishing in judicial custody since 23.12.2024, therefore, the applicant deserves to be enlarged on bail. 6. Learned State Counsel, on the other hand, has vehemently opposed the bail application. 7. Heard learned counsel for the parties and perused the records. 8. Having considered the submissions, under the facts and circumstances of the case and also considering the fact that there is no medical report or any other corroborating and substantiating material on record to support the prosecution story and also the fact that statement of PW1 has already been recorded and there is no chance of tampering with the evidence or

			influencing the witnesses and since the applicant is languishing in judicial custody since 23.12.2024, this Court is of the view that it is a case fit for bail and the applicant deserves to be enlarged on bail. 9. Accordingly, the bail application is allowed. 10. Let the applicant be released on bail, on executing personal bond and furnishing two reliable sureties, each of like amount, to the satisfaction of Court concerned, subject the following conditions:- "i) The applicant shall attend the trial Court regularly, and, he will 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 this case. iii) The applicant shall not leave India without any prior permission of the trial Court." 11. It is clarified that if the applicant misuses or violates any of the conditions, imposed upon him, the prosecution will be free to move the court for cancellation of bail. **(Alok Mahra J.)** 03.11.2026 Ujjwal