SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			BA1/851/2026 Mayank Sharma --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. Harsh Vardhan Dhanik, learned counsel for the applicant. Mr. Dinesh Chauhan, learned A.G.A. 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. 351 of 2025, registered at Police Station Transit Camp, District Udham Singh Nagar, for the offences punishable under Sections 137(2) and 65 of the Bharatiya Nyaya Sanhita, 2023, Section 5 read with Section 6 of the Protection of Children from Sexual Offences Act, 2012, and Section 67-B of the Information Technology Act, 2000. 3. Heard learned counsel for the applicant and learned State Counsel and perused the record. 4. As per the prosecution case, the FIR was lodged alleging that the applicant had committed rape upon the victim. 5. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. It is contended that the applicant is not identifiable in the CCTV footage of the hotel where the alleged incident is stated to have taken place. It is further contended that there is a delay of approximately one month in lodging the

FIR. Learned counsel also submits that another person, namely, Mayank Sharma, was involved in the alleged incident, but the name of the present applicant, who also happens to be named Mayank Sharma, was mistakenly mentioned in the FIR, which fact is also reflected in the charge-sheet. It is further submitted that the victim, in her statement recorded before the Court, turned hostile.

6. Per contra, learned State Counsel has opposed the bail application, contending that the victim was 14 years of age at the time of the alleged incident and has supported the prosecution case in her statements recorded under Sections 180 and 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023. It is further contended that, as per the CCTV footage of the hotel, the victim and the applicant are identifiable, although the applicant was wearing a mask.

7. Having considered the submissions advanced by learned counsel for the parties and upon perusal of the material available on record, particularly the statements of the victim recorded under Sections 180 and 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023, as well as the age of the victim at the time of the alleged incident, this Court is of the view that the applicant has not made out a case for grant of bail.

8. Accordingly, the bail application is rejected.

(Alok Mahra, J.)
31-10-2026

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