SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			BA1/853/2026 Nitin --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. Shashi Kant Shandilya and Ms. Nancy Singh, Advocates for the applicant. Mr. Deepak Bisht, Deputy Advocate General for the State of Uttarakhand. 2. This first bail application has been moved by the applicant seeking regular bail in F.I.R./ Case Crime No.0014 of 2026, under Section 137(2), 64(2)(m), 351(3), 352 of B.N.S. and Section 5(L)/6 of POCSO Act, registered at Police Station Khanpur, District Haridwar. 3. An F.I.R. was lodged by the father of the victim, in which it was mentioned that the applicant has enticed away his minor daughter in the night of 12.01.2026. After investigation, charge sheet has been filed against the applicant. 4. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case and has been languishing in judicial custody since 14.01.2026. It is further submitted that the age of the victim at the time of the alleged incident was 17 years and 8 months. Learned counsel has drawn the attention of this Court to the statement of the victim recorded under Section 180 of the Bharatiya Nagarik Suraksha Sanhita, 2023, wherein she stated that she and the applicant had been in a relationship for more than one year and that she had left her parental home of her own volition to accompany the applicant. It is further contended that, in the said statement, the victim stated that physical relations were established between them with her

			consent. Learned counsel further submits that, in her subsequent statement recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023, as well as in her deposition before the trial Court as P.W.1, the victim completely denied knowing the applicant. It is contended that the version subsequently put forth by the victim is entirely at variance with her earlier statement recorded under Section 180 of the Bharatiya Nagarik Suraksha Sanhita, 2023, and introduces a materially different version of the alleged occurrence, which, according to learned counsel, finds no mention either in the initial complaint or in her earlier statement to the police. On this basis, learned counsel submits that the material contradictions and inconsistencies in the successive versions of the victim raise a serious question regarding the consistency of the prosecution case. It is, therefore, contended that, having regard to the nature of the allegations, the material available on record, and the period of incarceration already undergone by the applicant, the applicant deserves to be enlarged on bail. 5. Per contra, learned State Counsel has vehemently opposed the prayer for bail. 6. Having considered the submissions advanced by learned counsel for the parties and upon perusal of the material available on record, this Court finds that the victim was aged about 17 years and 8 months at the time of the alleged incident. The statement of the victim recorded under Section 180 of the Bharatiya Nagarik Suraksha Sanhita, 2023, as referred to by learned counsel for the applicant, indicates that she had been in a relationship with the applicant for more than one year and had accompanied him of her own volition. However, in her subsequent statement recorded under Section 183 of the aforesaid Sanhita and in her deposition before the trial Court, she denied knowing the applicant. Thus, there is an apparent variation between the successive versions attributed to the victim, which may require consideration during the course of trial. It is further borne out from the record that the applicant has been in judicial custody since 14.01.2026 and that the investigation has culminated in the filing of the charge sheet. Having regard to the totality of the facts and circumstances of the case, the nature of

			the material available on record, the stage of the proceedings and the period of incarceration already undergone by the applicant, this Court is of the considered view that the applicant has made out a case for grant of bail. Accordingly, without expressing any opinion on the merits of the case, the applicant deserves to be enlarged on bail. 7. Accordingly, the bail application is allowed. 8. 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. **(Alok Mahra, J.)** 29.10.2026 *Arpan* ARPAN JAISWAL Digitally signed by ARPAN JAISWAL DN: c=IN, o=HIGH COURT OF UTTARAKHAND, ou=HIGH COURT OF UTTARAKHAND, 2.5.4.20=eabb68a3895e41937c266c23964c048536545e3a2 0ddb7393398f9e45ba3e, postalCode=263001, st=UTTARAKHAND, serialNumber=060FC17022BEAE3DE215D68D0D454C5109CB9 87446351E4DF64AAD6A2CDCEA66, cn=ARPAN JAISWAL Date: 2026.10.29 18:50:30 +05'30'