SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			UKHC010098482026 **BA1/1011/2026** Sikandar --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. G.C. Lakhchaura along with Mr. Dushyant Mainali, learned counsel for the applicant. 2. Mr. Pramod Tiwari, learned A.G.A. for the State. 3. A modification application has been filed seeking modification of the order dated 31.10.2026 passed by this Court, to the extent that no recovery has been made either from the possession of the present applicant or at his instance. It is further submitted that a co-accused, has already been enlarged on bail by this Court and, therefore, the case of the present applicant also deserves consideration on the ground of parity. 4. It is submitted that the aforesaid facts could not be incorporated in the order dated 31.10.2026 due to an inadvertent clerical error.

			5. Having considered the grounds mentioned in the modification application, this Court finds that the error is inadvertent and clerical in nature. Accordingly, the modification application is allowed. 6. Accordingly, Paragraph Nos. 5, 6, 7 and 8 of the order dated 31.10.2026 shall stand substituted by the following paragraphs: "5. Learned counsel for the applicant would submit that the applicant has falsely been implicated in the present case; that, no weapon has been recovered either from the possession of the applicant or at his instance, however, the prosecution has sought to connect the recovery of a screwdriver with the alleged weapon used in the commission of the crime, without establishing that the said recovery was made at the instance of the applicant. He would further submit that, in the statement of PW-2, no specific role has been attributed to the present applicant; that the applicant has been languishing in jail since 15.06.2025 and that, in case he is enlarged on bail, he shall not misuse the liberty of bail and shall furnish the requisite bail bonds and sureties to the satisfaction of the Court concerned. 6. Learned counsel for the applicant would further submit that

			the co-accused has already been enlarged on bail by this Court. Therefore, the case of the present applicant is also covered by the principle of parity. 7. Learned State Counsel admits the facts that co-accused has already been enlarged on bail by this Court. 8. Considering the submissions of learned counsel for the parties and also considering the fact that the co-accused has already been granted bail by this Court, without expressing any opinion as to final merits of the case, this Court is of the view that the applicant deserves bail at this stage." 7. All other directions and observations contained in the order dated 31.10.2026 shall remain unchanged. 8. Order accordingly. **(Alok Mahra, J.)** 04.11.2026 Mamta
