SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			BA1/1190/2026 Deepak Chandra Palariya Alias Deepak --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. R.S. Sammal, Senior Advocate, assisted by Mr. Harendra Belwal, and Ms. Sarita Bisht, 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.0019 of 2026, under Section 65(1) & 137(2) of B.N.S., 2023 and Section 5(j)(ii)थ/6 of POCSO Act, registered at Police Station Bhimtal, District Nainital. 3. An F.I.R. was lodged by the father of the victim, alleging therein that his minor daughter had left for school in the morning of 06.05.2026 but did not return home. It was further alleged that the applicant, who is a resident of the same village, had enticed away his daughter, as informed to him by certain other students. The victim was subsequently recovered from the company of the applicant eight days after the lodging of the F.I.R. 4. Learned Senior Counsel for the applicant submits that the applicant has been falsely implicated in the present case and has been languishing in judicial custody since 16.05.2026. It is further submitted that, in her statement recorded under Section 180 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the victim has categorically stated that she had accompanied the applicant of her own free will and that no physical relations were established between

			them. It is further contended that the victim stated that her parents used to beat and harass her and that she was unwilling to reside with them. Learned Senior Counsel further submits that the victim reiterated the aforesaid version in her statement recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023. It is also submitted that the victim was approximately 16 years of age at the time of the alleged incident. On these grounds, learned Senior Counsel prays that the applicant be enlarged on bail. 5. Per contra, learned State Counsel has vehemently opposed the prayer for bail 6. Heard learned counsel for the parties and perused the record. The statements of the victim recorded under Sections 180 and 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023, as brought to the notice of this Court, indicate that she has stated that she accompanied the applicant of her own free will and that no physical relations were established between them. She has also referred to the alleged ill-treatment meted out to her by her parents as a reason for her unwillingness to reside with them. Further, the victim was approximately 16 years of age at the time of the alleged incident. 7. Having regard to the facts and circumstances of the case, the period of incarceration undergone by the applicant, the statements of the victim referred to above, this Court is of the view that the applicant's further detention is not warranted at this stage. Accordingly, without expressing any opinion on the merits of the case, this Court considers it appropriate to enlarge the applicant on bail. 8. Accordingly, the bail application is allowed. 9. 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