SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			BA1/1280/2026 Nikhil Kumar --Applicant **Versus** State Of Uttarakhand --Respondent with **BA1 No.1342 of 2026** Himanshu --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. Alok Kumar, Advocate with Mr. Saurabh Kumar Pandey and Mr. Sachin Kumar, Advocates for the applicant. Mr. Chitrarth Kandpal, Brief Holder for the State of Uttarakhand. 2. These first bail applications have been moved by the applicants seeking regular bail in F.I.R./Case Crime No.66 of 2026, under Section 103(1), 109(1), 190, 191(2), 191(3), 3(5) of B.N.S., 2023, registered at Police Station Bhagwanpur, District Haridwar. 3. Learned counsel for the applicants submits that the applicants have been falsely implicated in the present case and have been languishing in judicial custody since 04.02.2026. It is further submitted that the applicants have no criminal antecedents. Learned counsel contends that, even if the prosecution allegations are taken at their face value, no specific role attracting the offence punishable under Section 103(1) of the B.N.S., 2023, is attributable to the applicants. In this regard, it is submitted that, as per the statements

			of the alleged eyewitnesses recorded during the course of investigation, the specific role of firing upon the deceased, resulting in his death, has been attributed to co-accused Vishal and Saurabh. Although the eyewitnesses have also referred to the presence of certain other co-accused persons allegedly armed with weapons, iron rods and sticks, no specific overt act or role in the commission of the fatal assault has been attributed to the present applicants. It is, thus, contended that the case of the applicants stands on a distinct footing from that of the co-accused persons who have been specifically assigned the role of causing the fatal firearm injuries. Learned counsel further submits that the applicants are no longer required for custodial interrogation and, in the event of their release on bail, they undertake to abide by all the conditions imposed by this Court. 4. Per contra, learned State Counsel has vehemently opposed the prayer for bail. 5. 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 specific allegation of causing the fatal firearm injuries to the deceased has been attributed to co-accused Vishal and Saurabh. Although the prosecution has alleged the participation of several persons in the incident, the statements of the alleged eyewitnesses, as brought to the notice of this Court, do not disclose any specific overt act on the part of the present applicants which can be directly connected with the fatal firearm assault. It is further noticed that the applicants have no criminal antecedents and have been in judicial custody since 04.02.2026. Having regard to the nature of the allegations, the respective roles attributed to the accused persons, the material collected during investigation, and the fact that the specific role of causing the fatal firearm injuries has been assigned to the co-accused persons, this Court is of the view that the continued incarceration of the applicants is not warranted at this stage. 6. In view of the aforesaid facts and circumstances, without expressing any opinion on the merits of the case, this Court is of the considered view that the applicants have made

			out a case for grant of bail. 7. Accordingly, the bail applications are allowed. 8. Let the applicants be released on bail, on executing personal bond by each one of them and furnishing two reliable sureties by each one of them, each of like amount, to the satisfaction of Court concerned. **(Alok Mahra, J.)** 02.11.2026 *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=eab66a3895e41937c266c2394c0485365445e3a20dd6b7391398f9fe45ba3e, postalCode=263001, st=UTTARAKHAND, serialNumber=D0FC17022BEAE3DE215D68D9D454C5109CB9E744635 1E40F04AADAA2C2CEA66, cn=ARPAN JAISWAL Date: 2026.11.02 19:04:18 +05'30'