SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			BA1/1388/2026 Bijay Prasad --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. T.C. Pandey, learned counsel for the applicant. 2. Mr. Ms. Meenkashi Sharma and Mr. Himanshu Sain, learned Brief Holder for the State. 3. Applicant-Bijay Prasad, who is in judicial custody in connection with Case Crime/F.I.R. No. 1 of 2025 for the offences punishable under Sections 87 and 238 B.N.S. registered at Police Station-Berinag, District Pithoragarh, has sought his release on bail. 4. Heard learned counsel for the parties and perused the material available on record. 5. Learned counsel for the applicant would submit that the applicant is innocent and has falsely been implicated in the present case; that, a missing report was lodged by the father-in-law of the missing person on 12.09.2025 and the applicant was not initially named as an accused in the report, but was

			subsequently charge-sheeted upon completion of the investigation. 6. Learned counsel for the applicant would submit that the applicant has been implicated only on the basis of apprehension that the applicant, having an alleged affair with the missing person, had kidnapped her with the assistance of the co-accused persons with the intention of pressurizing her to marry him; that, the prosecution case stands substantially weakened by the scientific evidence collected during the investigation; that, the missing person has not yet been recovered; and that the co-accused persons, whose alleged roles are stated to be more serious than that of the present applicant, have already been enlarged on bail. 7. Learned counsel would also submit that the applicant has been languishing in judicial custody since 11.12.2025; that, he is a permanent resident of District Bageshwar and, therefore, there is no likelihood of his absconding or fleeing from the process of law; that there is no reasonable apprehension of his tampering with the prosecution evidence or influencing the witnesses; and that the trial is likely to take considerable time to reach its logical conclusion. On these grounds, learned counsel prays that the applicant may be enlarged on bail. 8. Per contra, learned State counsel

would vehemently oppose the prayer for bail. However, he does not dispute the fact that the missing person has not yet been recovered, that the co-accused persons have already been enlarged on bail, and that the applicant is in judicial custody since 11.12.2025.

9. Having considered the rival submissions advanced by learned counsel for the parties and upon perusal of the material available on record, this Court finds that the missing person has not yet been recovered; the applicant was not named as an accused in the initial missing report; the co-accused persons, whose alleged roles are stated to be more serious, have already been enlarged on bail. Having regard to the overall facts and circumstances of the case, without expressing any opinion on the merits of the case, this Court is of the view that the applicant has made out a case for grant of bail.

10. Accordingly, the bail application is allowed.

11. Let the applicant be released on bail on furnishing a personal bond and two reliable sureties, each in the like amount, to the satisfaction of the court concerned, subject to the following conditions

(i) The applicant shall not, directly or indirectly, threaten, induce or influence any person acquainted with the facts of the case.

(ii) the applicant shall not tamper with the prosecution evidence or influence any witness.

(iii) the applicant shall cooperate with the investigation and trial and regularly appear before the Trial Court, unless exempted.

(v) the applicant shall not leave India without prior permission of the Court concerned.

(vi) The applicant shall furnish his current residential addresses and mobile numbers to the Investigating Officer/Court concerned and promptly intimate any change therein.

11. In case of breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of bail granted to the applicant.

(Alok Mahra, J.)
06.11.2026

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