SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			BA1/1452/2026 Shubham and Another --Applicants **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. Gaurav Singh, learned counsel for the applicants. Mr. Rakesh Kumar Joshi, learned A.G.A. for the State of Uttarakhand. 2. The present bail application has been filed by the applicants, who are in judicial custody in connection with FIR/Case Crime No. 337 of 2026, registered at Police Station Pathri, District Haridwar, for the offences punishable under Sections 115(2) and 78(2) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as the "BNS"), and Sections 11(iv)/12 of the Protection of Children from Sexual Offences Act, 2012 (hereinafter referred to as the "POCSO Act"). 3. Heard learned counsel for the applicants and learned State Counsel and perused the record. 4. Learned counsel for the applicants submits that both the applicants have been falsely implicated in the present case and have not been named in the FIR. It is further submitted that the victim has not identified either of the applicants. As per the statement of the victim, she identified only two persons, namely, Mahesh alias Mantri, who allegedly committed rape upon her, and Akash, who allegedly caught hold of her hand while the aforesaid act was being committed. 5. Learned counsel has further drawn the attention of this Court to the

			subsequent statement of the victim, wherein specific questions were put to her regarding the roles of the applicants; however, she did not attribute any specific role to either of them. It is also submitted that both the applicants have been in judicial custody since 18.07.2026. It is further submitted that the applicants are students of a Polytechnic institution. On the aforesaid grounds, learned counsel for the applicants prays that both the applicants may be enlarged on bail. 6. Per contra, learned State Counsel has opposed the prayer for grant of bail. 7. Having considered the submissions advanced by learned counsel for the parties and upon perusal of the material available on record, particularly the fact that the applicants have not been named in the FIR, have not been identified by the victim, and no specific role has been attributed to either of them in the subsequent statement of the victim, this Court is of the considered opinion that the applicants have made out a case for grant of bail. 8. Accordingly, the bail application stands allowed. 9. Let both the applicants be released on bail upon each of them furnishing a personal bond and two reliable sureties, each in the like amount, to the satisfaction of the Court concerned. 10. It is made clear that the observations made hereinabove are confined to the adjudication of the present bail application and shall not be construed as an expression of opinion on the merits of the case. 11. All pending applications, if any, stand disposed of accordingly. **(Alok Mahra, J.)** 03-11-2026 SB SHIKSHA BHOLA