SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			BA1 No.1895 of 2025 Vishal alias Viyesh .....Applicant Vs. State of Uttarakhand .....Respondent **Hon'ble Pankaj Purohit, J.** Mr. M.K. Ray, learned counsel for the applicant. 2. Mr. Sandeep Sharma, learned A.G.A. for the State. 3. Applicant has moved this bail application in FIR No.22 of 2025 dated 11.02.2025 under Section 140(3) of B.N.S.S. 2023 and subsequently a charge sheet has been filed under Sections 103, 238 and 3(5) of B.N.S. 2023, registered with Police Station-Pulbhatta, District-Udham Singh Nagar. 4. The FIR was lodged by wife (Guddi) of deceased (Bunty) with averment that on 09.02.2025 at about 08:00 P.M., deceased (Bunty) went to a nearby shop to buy items and was last seen talking to Viyesh s/o Shiv Dayal. After Bunty failed to return and did not pick up his call at 09:00 P.M. and his phone got switched off at 10:00 P.M. his family searched for him in nearby areas and in relatives. Leading to no success, informant (Guddi) suspected Viyesh, Vipin and Suraj as local villagers saw her husband with three individuals before his disappearance. 5. On the basis of the said FIR, a chick FIR alleging kidnapping was lodged in Police Station-Pulbhatta, but subsequently dead body of (Bunty) was recovered, from a farm of one Indrajeet in village-Sutuiya, with a pattal (a sharp edged heaving cutting tool) and his mobile phone at the pointing out of the accused persons. 6. It is argued by learned counsel for the applicant that

this is a joint recovery and there is no independent witness to the said joint recovery and the applicant has been roped in only on the basis of confessional statements of the co-accused; and the applicant is in jail since 12.02.2025 while the co-accused (Suraj) has been enlarged on bail by this Court.

7. *Per contra*, learned counsel for the State submits that apart from dead body and other articles, a CDR was also obtained and as per the CDR the applicant and Vipin were found with the deceased.

8. Having considered the rival submission of the parties and having perused the material available on record, it appears that applicant was rounded up on the basis of last seen evidence and on the alleged joint recovery of dead body of Bunty and other articles at the pointing out of the accused persons including the applicant; applicant is under incarceration for the last one year and eight months. The case is based on circumstantial evidence and no motive is alleged against the applicant.

9. In such view of the matter, this Court feels that the applicant is entitled to be released on bail.

10. Accordingly bail application of applicant-Vishal alias Viyesh is allowed. Let applicant be released on bail, on his executing a personal bond and furnishing two reliable sureties, each of the like amount, to the satisfaction of the court concerned.

(Pankaj Purohit, J.)
28.10.2026

SK

SHUBHAM KAPRUWAN