SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			BA1/1535/2026 Devraj Negi --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Ms. Divya Jain, Advocate for the applicant. Mr. Chitrarth Kandpal, Brief Holder 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.0006 of 2026, under Section 64(2)(m) of B.N.S.S., 2023 and Section 5(j)(ii) read with Section 6 of POCSO Act, registered at Police Station Rikhnikhal, District Pauri Garhwal. 3. According to the prosecution, the informant, who is the father of the victim, lodged the F.I.R. alleging that on 27.06.2026, his daughter, aged approximately seventeen and a half years, complained of abdominal pain. Upon being taken to a hospital, she was found to be approximately four months pregnant. On being questioned by the informant, she allegedly disclosed that the applicant had established physical relations with her, resulting in her pregnancy. 4. Learned counsel for the applicant submits that the applicant has been falsely implicated and has been in judicial custody since 01.07.2026. It is contended that the applicant is approximately nineteen years of age and that the applicant and the victim were acquainted with each other and had been in a relationship for approximately six years. In support of this submission, learned counsel refers to the victim's statements recorded under Sections 180 and 183 of the BNSS, 2023, and the history recorded during her medical

examination. It is further submitted that the physical relationship arose out of their mutual affection. On these grounds, learned counsel prays for the applicant's release on bail.

5. Per contra, learned State Counsel opposes the bail application, having regard to the nature and gravity of the allegations and the fact that the victim was below eighteen years of age at the relevant time.

6. 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 victim, in her statements recorded under Sections 180 and 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023, has disclosed that she had been in a relationship with the applicant for the last six years. The statement made by the victim before the doctor also indicates that the physical relationship between the parties were consensual in nature. It is further evident that the applicant himself is about 19 years of age and the victim was aged about 17½ years at the relevant time. The applicant has been in judicial custody since 01.07.2026. Considering the young age of the applicant, the nature of the relationship between the parties, the statements of the victim available on record and the period of incarceration already undergone, 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 finds that the applicant has made out a case for grant of bail.

7. Accordingly, the bail application is allowed.

8. 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.)
30.10.2026

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