SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS 2026:UHC:9845
			BA1/1915/2025 Deepak --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Pankaj Purohit, J.** Mr. Saurabh Kumar Pandey, learned Counsel for the applicant. 2. Mr. Bhaskar Chandra Joshi, learned AGA for the State. 3. Mr. Harsh Taneja, learned Counsel for the informant. 4. Applicant, who is in custody in connection with FIR/Crime No.400 of 2024 for the offences u/s 103(1), 238 and 3(5) of BNS 2023 registered with P.S. Jhabrera, District Haridwar has sought his release on bail. 5. From a perusal of the FIR, it transpires that the applicant is not named in the FIR; it is a blind murder of one Iqbal who was watchman of 'Heritage School'. The case is based on circumstantial evidence and during the course of investigation, name of applicant cropped-up. 6. Learned Counsel for applicant submits that the applicant is in custody since 28.10.2024; he is innocent and falsely implicated with the case; there is no direct evidence or eyewitness account against the applicant, and at the same time, no motive has been attached to the applicant; and the applicant has no criminal history. 7. Learned Counsel for applicant further submits that the prosecution claims to implicate the applicant on the basis of a CCTV footage in which the identity of applicant is not ascertainable for the reason that the person who barged into the 'Heritage School' had got his face covered. The recovery which the prosecution claims at the pointing

			out of applicant is of a 'bandage' which is made after 18 days of incident from a sugarcane field which is highly doubtful. 8. Per contra, learned State Counsel admits that it is a case based on circumstantial evidence but the applicant was rounded up only on being seen in CCTV footage; he admits the fact that there is no motive attached to the applicant with the murder, and the fact that the applicant is under incarceration since 28.10.2024. 9. Learned Counsel for informant has taken the same line, as taken by learned State Counsel that the applicant was seen in CCTV footage and he is the main accused. 10. Having considered the rival submissions of parties and having perused the material placed on record in the bail application and upon perusal of the counter affidavit filed by the State, considering the fact that since the matter is based upon circumstantial evidence and the applicant is in incarceration since 28.10.2024, the Court is of the opinion that the applicant deserves bail at this stage. 8. Accordingly, bail application is allowed. Let the applicant be enlarged 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. 9. Pending application, if any, stands disposed of. **(Pankaj Purohit, J.)** 29.10.2026 *R.Dang*

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