SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			BA2/161/2026 Sameer --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. Rakat Mittal, learned counsel for the applicant. 2. Mr. Rakesh Joshi, learned A.G.A. along with Mr. Manoj Bhatt, learned Brief Holder for the State. 3. Applicant-Sameer, who is in judicial custody in connection with Case Crime/F.I.R. No. 271 of 2025 registered at Police Station-Bhagwanpur, District Haridwar for the offences punishable under Sections 333, 351(2), 64(2)(m), 75(2) of the B.N.S. and Section 3(a)/4, 5(1)/6 of the Protection of Children from Sexual Offences Act, 2012 has sought his release on bail. 4. Heard learned counsel for the parties and perused the material available on record. 5. This is the second bail application. The first bail application filed by the applicant was dismissed as withdrawn vide order dated 07.04.2026. 6. Learned counsel for the applicant would submit that, as per the prosecution

			case, the applicant forcibly entered the complainant's house, sexually assaulted the victim and thereafter threatened her with circulating the video allegedly recorded by him on social media if she disclosed the incident to anyone. 7. Learned counsel would further submit that the applicant is innocent and has been falsely implicated in the present case; that, during her medical examination and in her statements recorded under Sections 180 and 181 of the B.N.S.S., the victim alleged that the applicant had threatened her with dire consequences, including throwing acid on her if she refused to accompany him; that, subsequently, in her statement recorded under Section 183 of the B.N.S.S. (corresponding to Section 164 Cr.P.C.), the victim introduced a new allegation that the applicant had sexually assaulted her on 12.07.2025. 8. He would further submit that, while deposing as PW-1 before the Trial Court, the victim categorically stated that no sexual assault had taken place on 16.08.2025 and that the alleged incident of sexual assault had occurred on 12.07.2025. Learned counsel has also drawn the attention of the Court to the statement of the victim's aunt, who claimed to have been present at the victim's house on 16.08.2025 and stated that the victim had informed her about the alleged sexual assault. It is contended that there are material contradictions and

			inconsistencies between the statements of the victim and her aunt, which create doubt regarding the prosecution case and warrant consideration of the applicant's prayer for bail. 9. Learned counsel would further submit that the applicant is in judicial custody since 17.08.2025; that, he has no criminal antecedents and is a permanent resident of District Haridwar; that there is no likelihood of his absconding or tampering with the prosecution evidence; and that the trial is likely to take considerable time to conclude. Thus, learned counsel prays that the applicant be enlarged on bail. 10. Per contra, learned State counsel would vehemently oppose the prayer for bail. However, he does not dispute the apparent inconsistencies in the statements of the victim and the fact that the applicant has been in judicial custody since 17.08.2025. 11. Having heard learned counsel for the parties and upon perusal of the material available on record, this Court finds that there are material inconsistencies in the statements of the victim with regard to the date of the alleged incident. Accordingly, 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. 12. Accordingly, the 2nd bail application is allowed.

13. Let the applicant be released on bail upon 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 applicants 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) They shall furnish their current residential addresses and mobile numbers to the Investigating Officer/Court concerned and promptly intimate any change therein.

14. 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.)
04.11.2026

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MAMTA RANI

Digitally signed by MAMTA RANI
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