SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			BA1/1661/2026 Rahul --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. Alok Kumar, Advocate for the applicant. Mr. Deepak Bisht, Deputy Advocate General and Mr. J.P. Kandpal, Brief Holder for the State of Uttarakhand. Mr. Manish Lohani, Advocate for respondent no.2. 2. This first bail application has been moved by the applicant seeking regular bail in F.I.R./Case Crime No.35 of 2026, under Section 137(2), 64(2)(m), 65(1) of B.N.S., 2023 and Section 3(a)/4(2), 5(l)/6 of POCSO Act, registered at Police Station SIIDCUL, District Haridwar. 3. An F.I.R. was lodged by the father of the victim, alleging therein that his daughter, aged about 13 years, had gone missing from the house on 28.01.2026 without informing anyone. Subsequently, the victim returned home. After completion of the investigation, charge sheet has been submitted against the applicant. 4. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case and

			has been languishing in judicial custody since 14.03.2026. It is further submitted that the applicant and the victim were known to each other, as they belong to the same locality. Learned counsel further submits that the statements of the victim and the complainant have already been recorded, wherein the victim has categorically denied having been subjected to any sexual assault by the applicant. It is also contended that there are apparent inconsistencies in the statements regarding the age of the victim. In this regard, attention of the Court has been drawn to the statement of the complainant, who has stated that the victim has two elder sisters, both of whom are married and have children, one of whom is aged about three years, and that the age difference between the victim and her elder sisters is approximately one to one-and-a-half years. On the basis of the aforesaid statement, learned counsel submits that the age of the victim is a matter requiring consideration during trial. It is further contended that the victim had accompanied the applicant of her own volition and no force or coercion was exercised by the applicant. Learned counsel, therefore, submits that, in view of the aforesaid circumstances, the applicant deserves to be enlarged on bail. 5. Per contra, learned State Counsel has vehemently opposed the prayer for bail. 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 applicant has been languishing in judicial custody since 14.03.2026. The statements of the victim and the complainant have already been recorded

			during the course of investigation and the Investigating Officer has submitted the charge sheet. The victim, in her statement, has not supported the allegation of sexual assault against the applicant. Further, the defence has pointed out certain inconsistencies in the statements of the complainant concerning the age of the victim, which aspect would require consideration during trial. It is also not disputed that the applicant and the victim were acquainted with each other prior to the alleged incident, being residents of the same locality. Thus, having regard to the period of incarceration already undergone by the applicant, the stage of the proceedings and the material available on record, this Court is of the view that further detention of the applicant is not warranted at this stage. 7. Accordingly, without expressing any opinion on the merits of the case and keeping in view the facts and circumstances of the case, this Court is of the considered view that the applicant has made out a case for grant of bail. 8. Accordingly, the bail application is allowed. 9. 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.)** 19.11.2026 *Arpan*

ARPAN JAISWAL
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