SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			BA1/1690/2026 Akshay Thakur --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. Lalit Sharma and Ms. Sangeeta Bhardwaj, Advocates for the applicant. Mr. Prabhat Kandpal, A.G.A. and Mr. Manoj Bhatt, Brief Holder for the State of Uttarakhand. Ms. Aananya Jain, Advocate for the complainant. 2. This first bail application has been moved by the applicant seeking regular bail in F.I.R./Case Crime No.0087 of 2026, under Section 61(2), 103(1) of B.N.S., 2023 (Charge sheet dated 10.01.2026 under Section 103(1) of B.N.S., 2023, registered at Police Station Munni-Ki-Reti, District Tehri Garhwal. 3. As per the prosecution case, a quarrel took place between the applicant and the deceased, during which the applicant allegedly stabbed the deceased. It is further alleged that while the deceased was being taken to the hospital for medical treatment, he succumbed to the injuries sustained by

			him. 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 26.10.2025. It is contended that the Investigating Officer, without conducting a proper and fair investigation, has implicated the applicant solely on the basis of statements made by certain persons named in the F.I.R., who have themselves not been charge-sheeted. It is further submitted that although the place of occurrence was covered by C.C.T.V. cameras, the alleged incident of stabbing is not captured in the C.C.T.V. footage. Learned counsel further submits that the statements of the alleged eyewitnesses contain material contradictions and inconsistencies, which require consideration during trial. It is also pointed out that the charge sheet has already been submitted and three witnesses, including one alleged eyewitness, have been examined. Therefore, there is no likelihood of the applicant tampering with the prosecution evidence or influencing the witnesses. It is, accordingly, prayed that the applicant be enlarged on bail. 5. Per contra, learned counsel for the complainant vehemently opposes the bail application and submits that P.W.3, who is an eyewitness to the incident, has categorically deposed that he saw the applicant stabbing the deceased. It is further submitted that the weapon allegedly used in the

			commission of the offence was recovered at the pointing out of the applicant. She also submits that one more eyewitness is yet to be examined and, in the event of the applicant being released on bail, there is every likelihood of his influencing or threatening the remaining witness. 6. In response, learned counsel for the applicant submits that no fingerprints have been lifted or detected from the alleged weapon of offence so as to connect the applicant with the same. 7. 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 26.10.2025. The investigation in the matter has been completed and the charge sheet has already been submitted. It is also not disputed that three prosecution witnesses, including one alleged eyewitness, have already been examined. The alleged incident of stabbing is admittedly not captured in the available C.C.T.V. footage. Further, the evidentiary value of the testimony of the alleged eyewitnesses, particularly in view of the contradictions and inconsistencies pointed out by the learned counsel for the applicant, is a matter to be assessed during the course of trial. The alleged recovery of the weapon and the absence of any fingerprints thereon are also aspects which may be examined at the

appropriate stage.

8. In view of the aforesaid facts and circumstances, without expressing any opinion on the merits of the case, this Court is of the considered view that the applicant has made out a case for grant of bail.

9. Accordingly, the bail application is allowed.

10. 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.)
18.11.2026

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ARPAN JAISWAL

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