

HIGH COURT OF UTTARAKHAND AT NAINITAL

Bail Application (IA No.1 of 2024)

In

Criminal Appeal No.279 of 2024

Dablu KumarAppellant

Versus

State of UttarakhandRespondent

Present:-

Mr. Shiv Pandey, learned counsel for the appellant.
Mr. Siddhartha Bisht, A.G.A for the State.

Coram:Hon'ble Ravindra Maithani, J.
Hon'ble Siddhartha Sah, J.

Hon'ble Ravindra Maithani, J. (Oral)

Instant appeal is preferred against the judgment and order dated 21/22.02.2024, passed in Special Session Trial No.143 of 2022, State of Uttarakhand vs. Dablu Kumar, by the court of learned Special Judge (POCSO)/Additional District Judge, District Dehradun. By it, the appellant has been convicted and sentenced under Sections 363, 376 of IPC and Section 5/6 of Protection of Children from Sexual Offences Act, 2012. The appellant seeks bail in this appeal.

2. Heard learned counsel for the parties and perused the record.

3. Learned counsel for the appellant would submit that it is a case of romantic relationship. The victim, in her statement during investigation, has stated that she left her home on her own free will and they both got married. She also stated so that she left her home on her own and joined the company of the appellant and visited various places.

4. Learned State counsel would submit that the victim was minor at the time of incident.

5. To it, the learned counsel for the appellant would submit that the victim was 16 years of age where the appellant was 19 years of age.

6. Having considered, this Court is of the view that it is a case in which the execution of sentence should be suspended and the appellant be enlarged on bail.

7. The bail application is allowed.

8. The execution of sentence appealed against is suspended during the pendency of the appeal.

9. The appellant be released on bail, during the pendency of the appeal, on his executing a personal bond and furnishing two reliable sureties, each of the like amount to the satisfaction of the court concerned.

10. List in due course for final hearing.

11. Learned counsel for the appellant would submit that he has not received the paper book.

12. Let the paper book be prepared and provided to the learned counsel for the parties, as per Rules.

(Siddhartha Sah, J.)
19.05.2026

(Ravindra Maithani, J.)
19.05.2026