



2026:UHC:3847

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<p>BA2 No.66 of 2026 <b><u>Hon'ble Alok Mahra, J.</u></b></p> <p>Mohd. Faizan, Advocate, holding brief of Mohd. Safdar, Advocate for the applicant.</p> <p>Mrs. Pushpa Bhatt, Additional Advocate General and Mr. S.C. Dumka, A.G.A. and Mr. Nikhil Bisht, Brief Holder for the State of Uttarakhand.</p> <p>2. This is second bail application moved by the applicant seeking regular bail in F.I.R./Case Crime No.630 of 2024 (Special S.T. No.3 of 2025), under Sections 65(2) of B.N.S., Section 5(m) r/w Section 6 of POCSO Act, registered at Police Station Gangnagar, District Haridwar. The first bail application moved by the applicant was rejected by this Court on 10.02.2026.</p> <p>3. An F.I.R. was lodged by the father of the victim on 02.11.2024, in which he has alleged that on the same day at about 6:00 p.m., when the complainant reached his residence, his wife informed him that at around 3:00 p.m., while their minor daughter was playing outside, the applicant took her to his room and sexually assaulted her by committing rape.</p> <p>4. Learned counsel for the applicant would contend that the applicant has been falsely implicated in the case, that the medical evidence does not support or corroborate the prosecution's version of the incident, and that the applicant has been in custody and is languishing in jail</p>



since 03.11.2024.

5. Per contra, learned State Counsel vehemently opposed the bail application. It is submitted that the allegations levelled against the applicant are grave and serious in nature, pertaining to the sexual exploitation of a minor victim. It is, therefore, contended that considering the gravity of the offences alleged, the tender age of the victim, the material collected during the course of investigation, and the statements of the victim and other prosecution witnesses, no ground for grant of bail is made out in favour of the applicant.

6. Heard learned counsel for the parties and perused the record. A perusal of the record would reveal that no new circumstance or substantial change in the factual or legal position has been brought to the notice of this Court after rejection of the earlier bail application. Learned counsel for the applicant has failed to demonstrate any fresh ground warranting reconsideration of the matter. In absence of any new ground or change in circumstances, this Court is not inclined to take a different view from the one already taken earlier.

7. Accordingly, the second bail application lacks merit and is liable to be rejected and is hereby rejected.

**(Alok Mahra, J.)**

19.05.2026

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