SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS UKHC010115492025 2026:UHC:7476
			UKHC010115492025 **BA1/1334/2025** Krishna Singh Alias Kishan --Applicant **Versus** State of Uttarakhand --Respondent **Hon'ble Rakesh Thapliyal, J.** Mr. Sandeep Adhikari, learned legal aid counsel, for the applicant. 2. Mr. Vijay Khanduri, learned Brief Holder, for the State of Uttarakhand. 3. The instant bail application is moved on behalf of the present applicant – Krishna Singh @ Kishan S/o Sri Laxaman Singh, through legal aid counsel along with exemption application (IA No.1/2025) for seeking regular bail in reference to FIR dated 11.07.2024 bearing FIR No.235 of 2024, Police Station Sitarganj, District Udham Singh Nagar, wherein, the present applicant is facing trial for the offences punishable under Sections 298 and 326 (g) of BNS, 2023. 4. It is argued by learned counsel for the applicant that firstly the offence punishable under Section 298 of BNS, 2023 is only punishable with the maximum sentence of two years and so far as the offence punishable under Section 326 (g) of BNS, 2023, is concerned, no offence is made out from the contents of the FIR. Apart from this, he submits that the applicant belongs to the same community to whom the informant belongs, therefore, there is no any such intention or motive to hurt the sentiments of community to whom informant belongs. He further submits that at the time of the incident, the applicant was only 20 years old, and he was arrested on 12.07.2024 and since then he is in jail and he has no criminal antecedents and there is also no substantial progress in the trial. He submits that the continuous detention of the applicant for such a longer period for almost two years is violative of Article 21 of the Constitution of India. 5. On the other side, learned Brief Holder have not disputed that the applicant have no criminal antecedents

			and is languishing in jail since 12.07.2024 and the offence is punishable under Section 298 of BNS, 2023 is punishable for the maximum sentence of two years. 6. After hearing the submissions of the learned counsel for the parties, and taking into consideration that the present applicant have no criminal antecedents and belongs to the same community of which the informant belongs, and is languishing in jail since 12.07.2024 and has already suffered long incarceration of more than two years, therefore, this Court is of the view that the applicant deserves for bail. 7. Accordingly without expressing any opinion on the merits of the case, the instant bail application is allowed. 8. Let the applicant – "Krishna Singh @ Kishan", be released on bail, on his executing a personal bond and furnishing two reliable sureties, each of the like amount to the satisfaction of the Court concerned. **(Rakesh Thapliyal, J.)** 19.08.2026 Nitesh/