
(2025) 10 UH CK 0002

Uttarakhand HC

Case No: First Bail Application No. 1815 Of 2025

Upendra Rana

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

Date of Decision: Oct. 8, 2025

Acts Referred:

- Bharatiya Nyaya Sanhita, 2023 — Section 108
- Constitution Of India, 1950 — Article 21

Hon'ble Judges: Alok Kumar Verma, J

Bench: Single Bench

Advocate: Birendra Singh Adhikari, Pradeep Lohani

Final Decision: Allowed

Judgement

Alok Kumar Verma, J

1. The Applicant-Upendra Rana is in judicial custody for the offence under Section 108 of the Bharatiya Nyaya Sanhita, 2023 in Case Crime No.67 of 2025, registered at Police Station Purola, District Uttarkashi.

2. According to the First Information Report dated 28.07.2025, Pradeep Panwar, the brother of the informant, was a daily wager in Jawahar Navodaya Vidyalaya. Upendra Rana (applicant) was also working with him. On 26.07.2025, Upendra Rana and his two companions beat Pradeep Panwar. He was mentally disturbed by the said incident. He committed suicide by hanging on 27.07.2025. A suicide note was found in the pocket of the deceased in which he held the applicant responsible for his death.

3. Heard Mr. Birendra Singh Adhikari, learned counsel for the applicant and Mr. Pradeep Lohani, learned Brief Holder for the respondent.

4. Mr. Birendra Singh Adhikari, Advocate, contended that the said allegations are totally false. Applicant was not involved in the alleged incident of 26. 07.2025. The suicide note does not show that the applicant had in any way provoked, incited or encouraged the deceased to commit suicide. Applicant has no criminal antecedents. He is a permanent resident of District Uttarkashi, therefore, there is no possibility of his absconding. Charge-sheet has already been filed, therefore, there is no chance of tampering with the evidence, and, he is in custody since 29.07.2025.

5. Mr. Pradeep Lohani, learned Brief Holder, has opposed the bail application orally.

6. Bail is the rule and committal to jail is an exception. Refusal of bail is a restriction on the personal liberty of the individual, guaranteed under Article 21 of the Constitution of India. The object of keeping the accused person in detention during the trial is not punishment. The main purpose is manifestly to secure the attendance of the accused.

7. Having considered the submissions of learned counsel for both the parties and in the facts and circumstances of the case, no reason is found to keep the applicant behind the bars for an indefinite period, therefore, without expressing any opinion as to the merits of the case, this Court is of the view that the applicant deserves bail at this stage.

8. The Bail Application is allowed.

9. Let the applicant- Upendra Rana be released on bail on his executing a personal bond and furnishing two reliable sureties, each in the like amount, to the satisfaction of the court concerned.