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**(2025) 12 UK CK 0031**

**Uttarakhand HC**

**Case No:** Second Bail Application No. 319 Of 2025

Aamir And Another

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

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**Date of Decision:** Dec. 16, 2025

**Acts Referred:**

- Bharatiya Nyaya Sanhita, 2023 - Section 305(a), 317(2)

**Hon'ble Judges:** Alok Kumar Verma, J

**Bench:** Single Bench

**Advocate:** Bilal Ahmed, Sweta Badola Dobhal

**Final Decision:** Allowed

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### **Judgement**

Alok Kumar Verma, J

1. The Applicants are in judicial custody for the offence punishable under Section 305(a) and Section 317(2) of the Bharatiya Nyaya Sanhita, 2023 in Case Crime No.711 of 2025, registered at Police Station Manglaur, District Haridwar.
2. The First Bail Application (No.2259 of 2025) was dismissed as withdrawn on 10.12.2025 granting liberty to the applicants to file afresh.
3. According to the respondent, four tolas of gold and silver along with sixty seven thousand rupees in cash were stolen from the informants house on 22.10.2025. The First Information Report has been registered on 23.10.2025 against unknown person. The police recovered Rs.1,50,000/- (Rupees One Lakh Fifty Thousand) from inside the back seat cover of the car (DL7CL-8462) of the applicant no.1-Aamir. The said amount was recovered at the behest of the applicants. Applicants had received the said amount by selling the jewellery obtained from theft.
4. Heard Mr. Bilal Ahmed, learned counsel for the applicants and Mrs. Sweta Badola Dobhal, learned Brief Holder for the respondent.

5. Mr. Bilal Ahmed, Advocate, contended that the applicants are cousin brothers. They have been falsely implicated by the police. They had not stolen the said property. The said recovered amount belonged to the applicant no.1. Ikra, the sister-in-law of the applicant no.1, was admitted to Max Care Hospital, Meerut (Annexure No.4). The said amount was kept by the applicant no.1 for her treatment. Applicants are not convicted persons. The said offences are triable by the Magistrate. Applicants are in custody since 24.10.2025. They are permanent residents of District Meerut, therefore, there is no possibility of their absconding.

6. Mrs. Sweta Badola Dobhal, learned Brief Holder, has opposed the bail application orally.

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 applicants deserve bail at this stage.

8. The Bail Application is allowed.

9. Let the applicants- Aamir and Irfan be released on bail on executing a personal bonds and furnishing two reliable sureties, each in the like amount, by each one of them, to the satisfaction of the court concerned.