


SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	<div style="text-align: right;"> <small>COURT'S OR JUDGES'S</small>  <small>2026:UHC:3261</small> </div>
			<p><u>BA1 No. 488 of 2026</u> Arvind SharmaApplicant Vs. State of UttarakhandRespondent <u>Hon'ble Ashish Naithani, J.</u> Mr. Arvind Vashistha, learned Senior Advocate assisted by Mr. Harsh Vardhan Dhanik and Ms. Devanshi Joshi, learned counsel for the Applicant.</p> <p>2. Mr. Chitrarth Kandpal, learned Brief Holder for the State of Uttarakhand.</p> <p>3. Mr. Vikas Anand, learned counsel for the Complainant.</p> <p>4. The present Bail Application has been moved by the Applicant—Arvind Sharma S/o Late Bholu Nath Sharma, R/o Rampura, P.S. Kotwali Rudrapur, District Udham Singh Nagar. The Applicant is in judicial custody in connection with Case Crime No. 29 of 2026 (FIR No. 29 of 2026), registered at Police Station Pantnagar, District Udham Singh Nagar, for the offences punishable under Sections 115(2), 351(3), 352, 196B, 299, 353C of the B.N.S., 2023.</p> <p>5. Heard Mr. Arvind Vashistha, learned Senior Counsel assisted by Mr. Harsh Vardhan Dhanik and Ms. Devanshi Joshi, learned counsel for the Applicant, Mr. Chitrarth Kandpal, learned Brief Holder for the State and Mr. Vikas Anand, learned counsel for the Complainant. Perused the record.</p> <p>6. As per the prosecution case, the allegation against the Applicant is that he, along with other persons, assaulted and abused the victim, who was offering prayers and belonged to a different religious group, and the entire incident has been captured in a video recording.</p>

7. Learned Senior Advocate for the Applicant submits, as a primary ground for consideration of bail, that the incident occurred on property belonging to the Temple and within temple premises; the victim was repeatedly asked to leave the premises but did not pay heed. It is submitted that the victim was not an elderly person but a middle-aged individual and was provoking the Applicant while refusing to vacate the premises. It is further submitted that no serious or grave injuries have been caused to the victim. It is also argued that no firearm or weapon has been recovered from the Applicant; there was no motive to commit the offence; the Applicant has been in judicial custody since 02.03.2026; and the matter essentially arose out of a dispute involving alleged trespass.

8. Per contra, learned State Counsel has opposed the Bail Application contending that the matter is of extreme gravity and the video recording clearly depicts an unarmed and helpless individual being surrounded and brutally assaulted. It is submitted that the allegations disclose a grave offence affecting public order and communal harmony. It is further argued that the Applicant has criminal antecedents and, considering the seriousness of the offence, does not deserve to be enlarged on bail.

9. Learned counsel for the Complainant has also opposed the Bail Application and submits that the property in question does not belong to the Applicant, that the victim was mercilessly beaten, and that the Applicant has a long criminal history. It is also submitted that the conduct attributed to the Applicant demonstrates an intention to disturb public peace.

10. This Court has considered the rival submissions and perused the material available on record.

11. At this stage, without commenting upon the merits of the case, and considering the nature of allegations, the fact that no

weapon has been recovered from the Applicant, the submission that the incident arose in the backdrop of a dispute relating to possession and alleged trespass over temple premises, the period of incarceration since 02.03.2026, and other attending facts and circumstances of the case, this Court is of the view that sufficient grounds are made out for grant of bail.

12. Accordingly, the Bail Application is allowed.

13. Let the Applicant be released on bail upon executing a personal bond and furnishing two reliable sureties, each in the like amount, to the satisfaction of the Court concerned.

14. All pending applications, if any, shall stand disposed of.

15. It is made clear that observations made herein are only for the purpose of adjudication of the present bail application and shall not be construed as an expression on the merits of the case during trial.

(Ashish Naithani, J.)

29.04.2026

Shiksha