

No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>BA1 No. 1159 of 2025 <u>Hon'ble Alok Mahra, J.</u></p> <p>Mr. Lalit Sharma and Ms. Suraiya Naaz, learned counsel for the applicant.</p> <p>2. Mr. Rakesh Joshi, learned Brief Holder for the State.</p> <p>3. The applicant – Bhanu Prakash Agarwal, who is in judicial custody in connection with FIR/Case Crime No. 11 of 2025, under Sections 64(2)(f), 127(2) of BNS and Section 5(N)/6 of POCSO, registered at P.S. SIDCUL, District Haridwar, has sought his release on bail.</p> <p>4. In this case, a complaint was filed by the father of the victim, wherein, it was alleged that he received a phone call on 05.01.2025, at 06:45 PM from one Shubham Pal, who was Assistant Hockey Coach that his daughter (victim), who was attending the hockey camp for selection to the National Games, has been raped by the applicant. The complainant alongwith other family members immediately rushed to the hostel, where, victim and other players were staying and before they reached there, Police was already there. Applicant was arrested from the spot and medical was also conducted. As per the FIR, blood was coming out from the private parts of the victim.</p> <p>5. It is the case of the applicant that victim was examined by the doctor and the doctor opined that there was excessive</p>

			<p>bleeding from the private parts of the victim as victim was having her menstrual cycle period at that relevant point of time. Medical certificate has also been filed in which it is shown that there is no injury and no live spermatozoa were found in vaginal swab and furthermore, no sign of sexual intercourse was seen in her private parts.</p> <p>6. Learned counsel for the applicant would submit that the applicant has falsely been implicated in the case, as the victim has pressurized the applicant to include her name in the team and the applicant told her to rely on her talent and if she would have talent, she would definitely be in the team; that applicant is a recognized National Hockey Coach since last four years and he has no previous criminal history; that even the application was moved before the Magistrate concerned to preserve the CCTV footage of that date, when the incident occurred, but, the Hostel Authorities submitted a report to the Court that CCTV was installed in the year 2014, but, since no case for checking the DVR was there till then, therefore, on the aforesaid application to the Court, when the DVR was checked, the memory of the DVR was full and it was informed that now, new CCTV cameras have been installed, therefore, video recording of that incident is not available. It is further submitted that there are inherent contradictions in the statement of the complainant and the victim inasmuch as the complainant in his statement as PW1 has submitted that he has not lodged any FIR and the FIR was in fact lodged by one Shubham Pal. It is further submitted that</p>
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even if the allegations levelled in the FIR are taken to be true on its face value, then, also whole incident occurred within a period of fifteen minutes, which is highly improbable.

7. Learned State Counsel, on the other hand, has vehemently opposed the bail application.

8. Heard learned counsel for the parties and perused the record.

9. Considering the above facts and also considering the fact that applicant is in judicial custody since 06.01.2026 and furthermore the complainant and the victim have been examined and there are no chances of tampering with the evidences or influencing the witnesses, this Court is of the view that it is a case fit for bail and the applicant deserves to be enlarged on bail.

10. The bail application is allowed.

11. Let the applicant be released on bail, on his executing personal bond and furnishing two reliable sureties, each of like amount, to the satisfaction of Court concerned.

(Alok Mahra J.)

23.04.2026

Ujjwal