

**HIGH COURT OF UTTARAKHAND AT NAINITAL**

**2<sup>nd</sup> Bail Application No. 131 of 2025**

Ravindra Bhatt @ Ravi

.....Applicant

Versus

State of Uttarakhand

.....Respondent

Present:-

Ms. Pushpa Joshi, Senior Advocate assisted by Ms. Nipush Mola Joshi,  
Advocate for the applicant.

Mr. Siddhartha Bisht, AGA for the State.

**Hon'ble Ravindra Maithani, J. (Oral)**

Applicant Ravindra Bhatt *alias* Ravi is in judicial custody in Case Crime/FIR No. 234 of 2023 (S.T. No. 42 of 2023), under Sections 376, 384, 323, 506 IPC, P.S. Kotwali Pithoragarh, District Pithoragarh. He has sought his release on bail.

2. This is second bail application of the applicant. His first bail application has already been rejected on 25.07.2024.

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

4. According to the FIR, the victim was in Pithoragarh lock-up in connection with a case. On 06.08.2023, she managed to escape from lock-up. When she escaped, she met with three girls and went to their house and stayed there for 2 days till 08.08.2023. They called the applicant on 08.08.2023 for help. The applicant took the victim in a forest and raped her.

5. Learned Senior Counsel for the applicant submits that the applicant has falsely been implicated in the case. She submits that on 17.10.2023, the victim was medically examined and on that day, the doctor found that she was pregnant by 11 weeks and 1 day. It is

argued that had the rape been committed on 08.08.2023, the age of foetus, at the most, would have been 9 weeks; since, in this case, the age of foetus is 11 weeks 1 day as on 17.10.2023, it falsifies the prosecution case.

6. Factual narrations, as narrated by the learned Senior Counsel for the application has not been denied by the State. He would submit that sample of foetus has been sent to the FSL and the FSL report is still awaited.

7. It is more than two years. The State gives a statement that yet the FSL report is awaited. If the rape was committed on 08.08.2023, how could the victim be pregnant by 11 weeks 1 day on 17.10.2023 ?

8. Having considered, this Court is of the view that it is a case fit for bail and the applicant deserves to be enlarged on bail.

9. The bail application is allowed.

10. Let the applicant 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.

(Ravindra Maithani, J)  
26.09.2025

Avneet/