

UPET010010042026



In the Court of Special Judge [SC/ST (PA) Act].

Present: Ashok Kumar XIII (J.O. Code – UP2392)

Bail Application No. 421 / 2026

Sonu Singh, aged about 23 years, son of Malikhan Singh, resident of Nagla Bandi, Police Station Nidhouli Kalan, District Etah.

versus

State of Uttar Pradesh

Under sections - 115(2), 352 of the Bhartiya Nyaya Sanhita, 2023 and Section 3(1)(r), 3(1)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

CCN - 174 / 2024

Police Station - Nidhouli Kalan, District Etah

Date: 10.03.2026

1. This regular bail application has been moved on behalf of the applicant, Sonu Singh, seeking release on bail in Case Crime No. 174 of 2024, registered under Sections 115(2) and 352 of the Bhartiya Nyaya Sanhita, 2023, and Sections 3(1)(r) and 3(1)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, at Police Station Nidhouli Kalan, District Etah. The affidavit in support of the application has been preferred by the applicant himself. As the offenses alleged include provisions of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, a notice is duly served upon the complainant for hearing in this bail application as per procedure.
2. The factual matrix of the prosecution case, as set out in the First Information Report, is that on July 22, 2024, the applicant, along with co-accused Anita and Ashish, allegedly subjected the complainant, Kamala Devi, to physical assault and verbal abuse. It is alleged that the accused persons engaged in a physical

altercation and used derogatory language against the complainant in their village. Upon these allegations, the complainant approached the police station to register a report and initiate legal proceedings against the accused.

3. The applicant contends that he is an innocent farmer who has been falsely implicated in the present crime. It is submitted that this is the first bail application moved on behalf of the applicant, and no other bail application is pending or has been rejected by any other court. The defense highlights an unexplained delay in the registration of the First Information Report, noting that while the alleged incident occurred on July 22, 2024, the report was belatedly registered on July 24, 2024. The applicant categorically denies assaulting the complainant or using any abusive or casteist language on the alleged date and time. The defense asserts that the genesis of the dispute lies in the fact that the complainant's cattle frequently destroyed the applicant's standing crops. It is argued that the present false case is a retaliatory measure instituted after the applicant complained about the crop damage. Furthermore, the defense emphasizes that this is a case wherein no injury has been sustained and points out the absence of any independent witnesses, leaving only the complainant's uncorroborated testimony. The applicant claims parity with co-accused Anita Devi and Ashish, who have already been enlarged on bail. The applicant asserts he has no prior criminal history, is ready to furnish adequate surety, and undertakes not to misuse the liberty of bail if granted.
4. The prosecution vehemently opposes the bail application, arguing that the offenses alleged are serious in nature and negatively impact social harmony. The State contends that there is sufficient prima facie evidence on record connecting the applicant to the alleged crime. The prosecution further argues that if enlarged on bail, there is a substantial risk that the applicant might abscond, evade the judicial process, or attempt to tamper with evidence and intimidate the complainant. However, the prosecution concedes that the applicant has no prior criminal antecedents and acknowledges that the co-accused in the present crime have already been granted bail by the competent court.
5. The core accusation against the applicant revolves around an alleged physical assault and the use of abusive language on July 22, 2024. The applicant fundamentally relies on the grounds of false implication stemming from a dispute over crop destruction, the absence of injuries, unexplained delay in lodging the FIR, and the claim of parity with the enlarged co-accused. Upon careful analysis of the factual matrix, the rival submissions, and the material on record, it is apparent

that the FIR was lodged with a delay of two days without any cogent explanation. The allegations of physical assault are not corroborated by any medical injury report, rendering it a case of no injury. Furthermore, the applicant's claim of parity holds substantial weight, as similarly placed co-accused have already been granted bail. The applicant maintains a clean record with no criminal history. In guiding the exercise of discretion in bail matters, reliance is placed on the principles laid down by the Hon'ble Supreme Court in *Satender Kumar Antil v. Central Bureau Of Investigation And Another (2022 INSC 690)*, which emphasizes tailoring bail decisions based on the severity and nature of the crime, categorizing offenses to promote quicker release where appropriate, while treating Special Acts with stringent but judicious consideration. In the present case, considering the nature of the accusations, the lack of medical corroboration, the applicant's clean record, and the prevailing rule of parity, there appears to be no reasonable apprehension of the applicant fleeing from justice or tampering with evidence. Considering the totality of facts and circumstances, the submissions made, and the material on record, the applicant is granted bail.

Order

The bail application of accused Sonu Singh, son of Malikhan Singh, resident of Nagla Bandi, Police Station Nidhouli Kalan, District Etah in Case Crime No. 174 / 2024 , under Sections 115(2), 352 of the Bhartiya Nyaya Sanhita, 2023 and Section 3(1)(r), 3(1)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 , Police Station Nidhouli Kalan, District Etah is hereby allowed.

The applicant, being already on interim bail, shall furnish a surety in the sum of 20,000/- within 15 days from today before the court concerned; the personal bond already furnished shall remain in force.

1. The applicant shall appear before the court concerned on each date fixed in the case.
2. The applicant shall not tamper with the prosecution evidence nor pressurize the prosecution witnesses.
3. The applicant shall not indulge in any criminal activity or commission of any crime after being released on bail.

4. The applicant shall not leave the country without prior permission of the court.
5. The applicant shall inform the court regarding any change in their residential address.

In case of breach of any of the above conditions, the prosecution shall be at liberty to move an application for cancellation of bail.

Date: 10.03.2026

(Ashok Kumar XIII)
Special Judge [SC/ST (PA) Act]
Etah