

**IN THE COURT OF ADDL SESSIONS JUDGE/SPECIAL
JUDGE POCSO ACT COURT NO 2 MEERUT**



UPME010089942026
Bail Application No 2539 of 2026

Sube Singh

Vs

State of U.P

Crime No 147 of 2025

Section-191(2), 191(3), 190, 352, 125, 109(1),

3(5), 114(4), 324(4), 61 (2) of the BNS,

Section 7 of the CLA Act, and

Sections 25/29 of the Arms Act.

Date : 25-06-2026

1. Heard learned counsel for the accused applicant, Sube Singh, on his third bail application and perused the record.
2. The facts giving rise to the present bail application **under section 61 (2) of BNS** is that are that, on the information provided by SI Abhishek Singh, an FIR was registered under Crime No.147/2025 for offences under Sections 191(2), 191(3), 190, 352, 125, 109(1), 3(5), 114(4), 324(4) of the BNS, as well as Section 7 of the Criminal Law Amendment Act. As per the prosecution version, members of the Golu Gang, namely Shivam @ Golu and four other named accused, and members of the Kalu Gang, namely Vikal Dhama and three others, were engaged in a violent altercation at Rahawali Chauraha. During the incident, they allegedly fired indiscriminately, causing panic among the public, who fled for safety. It is further alleged that motorcycles lying at the spot were set ablaze. During the course of investigation, the name of the present accused applicant, Sube Singh, surfaced on the basis of a tip-off. The applicant had earlier moved his first bail application, which was rejected by this Court. However, he was subsequently granted bail by the Hon'ble High Court in respect of offences under Sections 191(2), 191(3), 190, 352, 125, 109(1), 3(5), 114(4), 324(4) of the BNS, Section 7 of the CLA Act, and Sections 25/29 of the Arms Act. Thereafter, the applicant filed a second bail application, which was a rejected by this Court. Thereafter he moved this third bail application. Learned counsel for the applicant has orally submitted that the fact of addition of Section 61(3) of the BNS was already available at the time when bail was granted by the Hon,ble High Court.

3. Learned counsel for the accused applicant submitted that the accused was not named in the FIR and has been implicated solely on the basis of information provided by an undisclosed informant. It is further submitted that no direct scientific or forensic evidence is available on record to establish the presence of the accused at the place of occurrence.

4. From a perusal of the record, it is evident that the accused had already been enlarged on bail by the Hon'ble High Court vide order dated 18.05.2026 in respect of offences under **Sections 191(2), 191(3), 190, 352, 125, 109(1), 3(5), 11, 114(4), 324(4) of the BNS, Section 7 of the Criminal Law Amendment Act, and Sections 25/29 of the Arms Act.** The charge sheet has since been submitted.

5. The present bail application has been moved in respect of the offence under **Section 61(2) of the BNS.** The material on record indicates that the facts relating to the said section were already before the Hon'ble High Court at the time of passing of the bail order dated 18.05.2026. It is also noteworthy that the case was registered on the basis of oral information provided by a police officer, and the implication of the accused rests upon information received from an informant whose statement under Section 180 BNSS is not available on record.

6. In view of the aforesaid circumstances, this Court is of the considered opinion that the accused is entitled to be enlarged on bail for the offence under **Section 61(2) of the BNS.**

ORDER

Accordingly, the bail application of the accused applicant, Sube Singh, is allowed. Let the accused be released on bail upon furnishing a personal bond and one surety in the sum of Rs. 1,00,000/- (Rupees One Lakh only). The accused shall be at liberty to furnish the same surety as has already been furnished in the present Crime No.

(Reema Malhotra)

Addl Sessions Judge/ Spl Judge

POCSO Act Court No 2 Meerut