

UPMT010015792026



IN THE COURT OF ADDITIONAL SESSIONS JUDGE,
COURT NO.-01, MATHURA
Bail Application No.-734/2026
Presiding Officer: Ram Kishor Pandey (HJS)
Kisanveer Vs. State

ORDER

1- This Bail Application is moved on behalf of accused/applicant Kishanveer S/o Hetsingh in case Crime No.-20/2026, U/s 109(1), 317(5) B.N.S. & 5/25/27 Arms Act, P.S. Mahavan, District Mathura.

2- As per the prosecution case, F.L.R. was lodged against accused/applicant Kishanveer alleging that on 23.01.2026 at about 23.24 hrs, the said accused along with co-accused Varun & Rohit@Rohitash fired on Inspector Chetram Sharma and his team with the intention to kill them and in counter firing of police, co-accused got injured and accused along with co-accused were arrested on the spot. On personal search of accused who stated his name Kishanveer, stolen purse, motorcycle i.e. Hero Splendor etc. were recovered from his possession. The accused told that the recovered items are stolen by him along with co-accused. On the basis of above recovery, the aforesaid case was registered under aforesaid case crime and sections against the accused/applicant and co-accused.

3. In the said Bail Application which is supported by affidavit of Het Singh, Ld. Counsel for the accused/applicant has mainly submitted that applicant/accused is innocent and has been falsely implicated in this case. The prosecution story is false, artificial and fabricated. It is admittedly a no injury police encounter case. No injury was found on the body of any police personnel. The said incident has been falsely shown by police. That police has implicated him falsely in the fake incident of police encounter. In fact, accused/applicant belongs to a poor family and police party forcibly caught him from his Mohalla and brought him to the concerned police station for enquiry where police party demanded money but applicant refused their demand due to which police party has falsely implicated him in this fake police encounter. That the applicant/accused was not involved in the incident and there is no independent witness of said incident. That the accused/applicant has no criminal history nor he has been convicted in any case previously but he has been wrongly implicated in the Case Crime No.-16/2026 & 19/2026. That the recovery of alleged items from the applicant/accused, are falsely shown by the police. That accused/applicant is detained in District Jail, Mathura since 24.01.2026. It is also submitted that there is no apprehension of his absconding. In the said case crime no. co-accused has been granted bail. He shall not misuse the liberty of bail and shall not tamper the prosecution witnesses. This is the first bail application of accused/applicant and apart from this no other bail application has been moved before any Court & Hon'ble High Court nor is it pending or rejected. Hence, prayer is made that the applicant/accused be released on bail.

4. Heard the Ld. Counsel for applicant/accused and Ld. A.D.G.C. (Crl.) for State and perused the record.

5. Ld. Counsel for the applicant has advanced his arguments in light of averments made in the aforesaid bail application and mainly submitted that applicant/accused has been falsely implicated in this case. It is a case of no injury. That applicant/accused had no involvement in this crime and the recovery of articles etc. have been falsely shown by the police. In case applicant

is released on bail, he will not misuse the liberty of bail and will cooperate in the trial.

6- Learned A.D.G.C. (Crl.) for the State opposed the prayer for bail but could not dispute the aforesaid fact as argued by Ld. Counsel for the applicant that no Injury has been caused to any of the police personnel. However, he insisted that applicant/accused along with co-accused fired on police party with the intention of killing and he has stolen the alleged recovered items.

7- Perusal of the record shows that it is a case in which the applicants accused along with co-accused fired on police party but none of the police personnel has sustained any injury in this incident. There is no independent witness of the said incident. No firearms were recovered from the applicant/accused at spot and at this stage, its evidentiary value shall be tested during trial. No such argument has been submitted by the prosecution side regarding any previous conviction of applicant/accused. In the said case crime no. co-accused has been granted bail from session court. Applicant/accused is detained in District Jail. The trial is likely to take considerable time, and per-trial detention of the accused would not serve any fruitful purpose. That considering the entire facts, without expressing any opinion on the merits of the case, the Court is of the view that the applicant deserves to be released on bail. Accordingly, the Bail Application is allowed.

8- Let the applicant Kishanveer involved in the aforementioned case be released on bail, on his furnishing a personal bond of Rs. 1,00,000/- (Rs. One lac only) and two sureties each in the like amount to the satisfaction of the Court concerned subject to following conditions:

1. The applicant/accused will not tamper with the evidence during the trial.
2. The applicant will not pressurize/intimidate the prosecution witness.
3. The applicant will appear before the trial court on the date fixed, unless personal presence is exempted.
4. The applicant shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.
5. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or samper with the evidence.
6. The accused/applicant will necessarily remain present in the Court on the dates fixed for framing of charges, recording of statements and decision.

In case of breach of any of the above conditions, the Court concerned shall be at liberty.

Date-11.03.2026

(Ram Kishor Pandey)
ID No. UP 6052
Additional Session Judge
Court No.-01, Mathura