

In the Court of Sessions Judge, Shamli
Presiding Officer- Inder Preet Singh Josh, (Higher Judicial Service)
(J.O. Code- UP1894)

Bail Application No.798/2026

Shameem s/o Nafees, Residence- Mohalla Rettewala, Kasba & Police Station Kairana, District Shamli.Accused/Applicant.

Versus

State of U.P.

.....Opposite Party.

Case Crime No.775/2025

U/s 109(1) BNS

P.S. Kairana, District Shamli.

Present **Shri Ch. Naseem Ahmad-** Counsel for Applicant

Present **Shri Sanjay Chauhan, D.G.C.(Criminal)-** State of U.P.

Dated: 01.06.2026

This bail application of accused **Shameem** has been filed by Aisha s/o Shameem, who is the Pairokar of the applicant. He has submitted that no other bail application is currently pending before Sessions Court or the Hon'ble High Court

In brief, the case of the prosecution is that on 08.12.2025 the complainant, Gaurav Chauhan, In-charge Inspector, along with other police personnel, was deployed in the police station area to maintain public order and to check suspicious persons/vehicles. Through a confidential informant, specific information was received that Chand son of Shahid, who is a professional cattle thief and has previously been arrested by Jhijnhana Police Station for cattle theft, would be proceeding from Ramda Cut towards Kairana and could be apprehended if timely action were taken. Acting on the information, police parties reached the location, and upon the police surrounding the accused, the accused fired with intent to kill, narrowly missing the police party. The police, with the intention of arresting the accused alive, returned fire in self-defense. After a short while, when no further fire was observed from the accused, a search was conducted with torchlight, upon which one accused was found in a wounded condition and taken into custody; the other accused fled taking advantage of the darkness. While recording the arrested accused's identity, he stated his name as Chand son of Shahid. From his possession a single.315 bore pistol in loaded/operational condition, one spent cartridge lodged in the barrel, and one live .315 bore cartridge were recovered. Upon questioning about the absconded accused, the arrested accused mentioned his name as Shameem. The accused failed to produce any licence for the recovered illegal weapons. The accused and property were taken into custody; the property was sealed, stamped with memos, and a site report (fard) was prepared at the scene.

Consequently, a case was registered at Police Station Kairana under Section 109(1), and Sections 3/25/27 Arms Act.

The learned Counsel for the applicant/accused has submitted that the applicant/accused has been falsely implicated in the present case. The applicant/accused has no motive to commit the alleged offence. The applicant/accused was not arrested from the spot. The applicant/accused denies firing with intent to kill. There is no independent witness to the alleged incident. All allegations against the applicant/accused are false and fabricated. The applicant/accused has no prior convictions. The applicant/accused has been languishing in District Jail since 31.03.2026.

The Learned DGC has opposed the bail application and stated that the accused is involved in the present case.

Heard learned counsel for the parties and perused the records of the case.

From a perusal of the documents on record, the applicant/accused, in collusion with the other co-accused persons, is alleged to have fired at the police force with intent to kill. In the present case, it is stated that there are no independent public witness to the incident and no police personnel was injured in the aforesaid incident. It is also stated that the applicant/accused was not arrested from the crime scene and his name came to light based on the statements of the arrested co-accused persons. The prosecution has presented the criminal history of the applicant/accused Shameem in three criminal cases. In this regard, the learned counsel for the applicant/accused has submitted that the applicant/accused is currently on bail in all the aforementioned cases. No prior conviction of the applicant/accused has come to light. The applicant/accused has been in judicial custody since 31.03.2026. The bail of co-accused person Chand, who is alleged to have played an identical role, has already been granted by this Court earlier on 12.01.2026.

Therefore, considering the above facts and circumstances, without expressing any opinion on the merits of the case, this court finds sufficient grounds to allow the bail application of the applicant/accused. Accordingly, the bail application is allowed.

ORDER

The bail application of the applicant/accused **Shameem** is allowed. The applicant/accused is directed to be released on bail upon furnishing a personal bond of Rs. 50,000/- (Rupees Fifty Thousand only) with two sureties of the same amount, to the satisfaction of this Court, subject to the following conditions:

- The applicant/accused shall fully cooperate for the speedy disposal of the trial.

Dated: 01.06.2026

(Inder Preet Singh Josh),
Sessions Judge, Shamli.