

In the Court of Sessions Judge, Shamli at Kairana.

Bail Application No.1003/2026

Arshad s/o Asgar, Residence- Gram Balwa, Police Station Kotwali Shamli, District Shamli.

.....Accused/Applicant.

Versus

State of U.P.

.....Opposite Party.

Case Crime No.1095/2019

U/s 307 IPC

P.S. Kotwali Shamli, District Shamli.

Present **Shri Ankur Kumar Singh**- Counsel for Applicant

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

Dated: 30.06.2026

This bail application of applicant/accused **Arshad** has been filed by Shadaab s/o Asgar, 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 16.07.2019, Sub-Inspector/complainant Mukesh Kumar, along with other police personnel, was deployed in the police station area to oversee law and order and conduct checks on suspicious persons/vehicles. Through a reliable secret informer, specific information was received that three miscreants were riding a motorcycle and were carrying illegal firearms, and that they were proceeding to Bahāvdi Cut on Meerut Road to commit an offence. The informant stated that, if action were taken promptly, they could be apprehended. Acting on the information supplied by the informant, the police proceeded to the vicinity of Bahāvdi Cut. Upon observing the police, these youths opened fire with the intention of causing the death of the police personnel and then fled on the motorcycle toward Bahāwthi village. The police personnel gave chase, but the suspects could not be arrested. The police personnel were already acquainted with the three miscreants, identified as Vikki alias Vikanth, Shakeel alias Chhota, and Arshad.

Consequently, a case was registered at Police Station Kotwali Shamli against aforementioned accused person under Section 307 IPC. After conducting the investigation, based on the evidence from the arrest and recovery from the accused person, a charge sheet under Sections 307 IPC has been filed against the applicant/accused in the court.

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 denies firing with intent to kill. There is no independent witness to the alleged incident, and no police personnel was injured in the 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 Muzaffarnagar since 17.06.2026.

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

criminal history of three more cases apart from the present case which are as follows:

S.No.	Crime No.	Under Section	Police Station
1.	1286/2019	307,414 IPC	Kotwali Shamli
2.	54/2012	3(1)/3(1) Gunda Act	Kotwali Shamli
3.	491/2011	110(G) Cr.P.C.	Kotwali Shamli

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

From a perusal of the documents on record, the applicant/accused is alleged to have fired at the police force with intent to kill. In the present case, it is stated that no police personnel was injured in the alleged incident, nor is there any independent public witness to the incident. It is further stated that the applicant/accused was not arrested from the place of the alleged incident. After conducting the investigation, based on the collected evidence, a charge sheet has already been filed against the applicant/accused and no investigation remains pending in the case. No prior conviction of the applicant/accused has come to light. The applicant/accused has been in judicial custody since 17.06.2026. The bail application of the co-accused Vikki @ Vikrant, who is alleged to have played an identical role, has already been granted by this Court earlier on 07.01.2020

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 **Arshad** 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: 30.06.2026

(In-Charge),
Sessions Judge,
Shamli.