

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

Bail Application No.1090/2026

- | | | |
|------------------------|----------------------------|--------------------------|
| 1. Aslam s/o Meena | Residence- Gram Gogaawan | |
| 2. Ayyub s/o Yameen | P.S. Kairana Dist. Shamli. | |
| 3. Musaahid s/o Ayyub, | |Accused/applicants. |

Versus

State of U.P.

.....Opposite Party.

Case Crime No.379/2026

U/s 109(1), 191(2), 115(2), 126(2), 132, 121(1) BNS.

P.S. Kairana, District Shamli.

Present **Shri Khaibar Rawal, Advocate-** Counsel for applicants

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

Dated:20.07.2026

This bail application of accused **Aslam, Ayyub & Musaahid** has been filed by Farman s/o Rafeeq who is the Pairokar of the applicant. She 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 28.05.2026 at about 06:30 hours, in response to a report of power supply failure, the complainant along with Lineman Sabir, son of Shri Ikram, proceeded to village Gogwan to attend to a complaint by Shri Kausar. On reaching the site they found that the neutral rod of the 100 kVA transformer (located near the pond) was severed. The same was replaced and the power supply was restored. Thereafter they left the site and were returning on my motorcycle bearing registration UP19M2672. While en route on the Jhinhāna–Kairana road, the following persons, : Aslam son of Meena, Badil son of Meena, Shoaib son of Meena, Momena (wife of Aslam) and Ayyub son of Yamin, together with other persons, stopped his motorcycle and forcibly took away the ignition key. The said persons then stated that the complainant arrange frequent complaints and actions against them. When he warned them that if they installed illegal connections (by means of 'katia' or bypass) and stole electricity, action would be taken against them, they attacked the complainant with the deliberate intention to kill. They jointly assaulted him by repeatedly striking my neck, as a result of which he lost consciousness and fell. When the complainant regained consciousness the was admitted to CHC Kairana. The said persons obstructed the complainant in the performance of his official duty and assaulted him with the intention of causing death.

Consequently, a case was registered at Police Station Kairana against the aforementioned accused persons and one unknown accused person under Sections 191(2), 115(2), 126(2), 132, 121(1) & 109(1) BNS.

The learned Counsel for the applicants/accused has submitted that the applicants/accused have been falsely implicated in the present case. The applicants/accused have no motive to commit the alleged offence. The applicants/accused have not committed any assault as mentioned in the FIR. The arrest of the co-accused has been stayed by the Hon'ble High Court vide order dated 19.06.2026. There are no independent witness to the alleged incident. All allegations and the recovery from the applicants/accused are false and fabricated. The applicants/accused have no prior criminal convictions.

The learned counsel for the applicants/accused orally submitted that the incident occurred on 28.05.2026 on the occasion of the Bakra Eid festival. An altercation arose between the complainant and the families of the applicants/accused over a trivial matter. When the applicants/accused intervened to effect a settlement, reconciliation between the parties could not be achieved, whereupon the complainant lodged the First Information Report. He has further submitted that the medical report records four injuries on the complainant, all of which are of a simple nature. The applicants/accused have been languishing in District Jail since 29.05.2026.

The Learned DGC has opposed the bail application and stated that the accused is involved in the present case. The prosecution has not produced any record of prior criminal antecedents of the applicants/accused apart from the present case. The investigating officer in the present matter, Shri Satish Singh, Sub-Inspector, is present in court. He has stated that the investigation in respect of the applicants/accused was taken up on 11.07.2026 and that the investigation against these applicants/accused is almost complete and no recovery has to made from them in this regard.

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

From a perusal of the documents on record, it appears that the applicants/accused, along with other co-accused, are alleged to have obstructed the complainant, who is a government servant in discharge of his official duties, attacked and assaulted him by striking his neck with an intent to kill. During the investigation, on 29.05.2026, the applicants/accused were arrested by the police. In the present case, the injury report of the injured person/complainant is available on file, which indicates that except injury no. 1, which was kept under observation, all other injuries sustained by the injured person were simple in nature. Even the injury on the neck is described as a contusion and the victim/complainant is said to have been discharged immediately after the medical examination. The investigating officer has stated that the investigation in the aforesaid case is almost complete and no recovery is required to be effected from the applicants/accused. No criminal antecedents of the applicants/accused have been placed on record by the prosecution. No evidence of any prior conviction of the applicants/accused has come to light. The applicants/accused has been in judicial custody since 29.05.2026.

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 applicants/accused. Accordingly, the bail application is allowed.

ORDER

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

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

Dated: 20.07.2026

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