

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

Bail Application No.1099/2026

Naseem @ Gulla s/o Sattar, Residence- Gram Sikka, P.S. AadarshMandi Dist. Shamli.Accused/Applicant.

Versus

State of U.P.

.....Opposite Party.

Case Crime No.108/2026

U/s 305, 331(4) BNS.

P.S. AadarshMandi Shamli, District Shamli.

Present **Shri Ravi Walia, Advocate-** Counsel for Applicant

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

Dated: 23.07.2026

This bail application of accused **Naseem @ Gulla** has been filed by Khatoon s/o Sattar, 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 the complainant works as the tubewell operator at Government Tubewell No. 69NL located in Mauja Bhikki Deh (Village Jaganpur/Kairana). On the night of 13/05/2026, unknown persons committed a theft at the said tubewell. The thieves stole copper wire, the T.P. switch, and starter equipment from the tubewell.

Consequently, a case was registered at Police Station AadarshMandi Shamli against the unknown accused persons under Sections 305(a), 331(4) BNS. After conducting the investigation, based on the evidence from the arrest of the accused person, a charge sheet under Sections 305, 331(4) BNS has been filed against the applicant/accused.

The learned Counsel for the applicant/accused has submitted that the applicant/accused has been falsely implicated in the present case. The applicant/accused had no motive to commit the alleged offence. The applicant/accused has not committed any theft as mentioned in the FIR. The applicant/accused is not named in the FIR. All allegations and the recovery from the applicant/accused are false and fabricated. The applicant/accused has no prior criminal convictions. The applicant/accused has been languishing in District Jail since 25.05.2026.

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 is alleged to have stolen copper wire, the T.P. switch, and starter equipment from the Government tubewell. In the present case, it is stated that the applicant/accused is not named in the FIR and during investigation his name came to light in connection with the alleged incident. It is also stated that there is no independent

public witness to 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. The present case is triable by the Magistrate Court. No criminal antecedents of the applicant/accused have been placed on record by the prosecution. No prior conviction of the applicant/accused has come to light. The applicant/accused has been in judicial custody since 25.05.2025.

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 **Naseem @ Gulla** 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 condition:

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

Dated: 23.07.2026

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