

In the Court of Civil Judge (S.D.)/F.T.C.-I/A.C.J.M., Deoria.

State Vs Kirtan @ Shubham and others



CNR No.- UPDE040155122026

Bail Application No.- 2756/2026

Case Crime No.- 205/2026,
U/S- 191(2),191(3),190,109(1),
115(2), 352, 351(3) B.N.S.
P.S.- Tarkulwa, District- Deoria.

29.07.2026:-

1. The applicant/accused, **Kirtan @ Shubham s/o Nagina**, in Case Crime No. 205/2026, U/S 191(2), 191(3), 190, 109(1), 115(2), 352, 351(3) B.N.S, Police Station- Tarkulwa, District Deoria, has been arrested and is in judicial custody in jail.

2. Learned counsel for the applicant/accused has argued that he has not committed any offence and is innocent. The alleged incident mentioned in the First Information Report (FIR) never took place, nor did the applicant and the co-accused commit any such offence. The informant, on the basis of injuries sustained in a mutual dispute with the prosecution witnesses, falsely implicated the applicant as a co-accused and lodged a fabricated FIR dated 20.07.2026, pursuant to which the applicant was sent to jail. As per the allegations contained in the FIR, there is no averment that the applicant was carrying a spear or that he assaulted anyone with it. The applicant has been in judicial custody since 21.07.2026. Therefore, it has been prayed that the bail application of applicant/accused be allowed.

3. The Assistant Prosecution Officer, while opposing the bail application, submitted that the offence committed by the accused is non-bailable and of a serious nature, and is triable by the Court of Sessions. Therefore, the bail application deserves to be rejected.

4. The present bail application was heard from both sides, and the relevant records were carefully perused.

5. From the perusal of the prosecution papers, there is an allegation that the applicant/accused with the co-accused, while abusing the informant and others, allegedly assaulted Sachin, son of Ramakant, who is the informant's paternal uncle's son (cousin), by striking him on the abdomen with a spear with the intention of causing his death, thereby inflicting a grievous injury. The offences alleged against the applicant/accused are serious and non-bailable in nature and are triable by the Hon'ble Court of Sessions. Considering all the facts and circumstances of the case, there are no sufficient grounds to grant bail to the applicant/accused. Therefore, the bail application filed on behalf of the accused is liable to be rejected.

O R D E R

The bail application filed on behalf of the applicant/accused, **Kirtan @ Shubham**, in Case Crime No. 205/2026, U/S 191(2), 191(3), 190, 109(1), 115(2), 352 and 351(3) of the Bharatiya Nyaya Sanhita (BNS), Police Station Tarkulwa, District Deoria, is hereby rejected. A copy of this order be placed on record along with the remand papers.

Date:-29.07.2026

SD/-
(Prafull Upadhyay)
Civil Judge (S.D.)/ F.T.C.-I/
A.C.J.M., Deoria.
J.O. Code- 3300