

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12297 of 2023

Applicant :- Shashank Singh @ Sahil Singh

Opposite Party :- State Of U.P. Thru. Addl. Chief Secy. Home, Lucknow

Counsel for Applicant :- Durgesh Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Shankar Shankar Lal Pandey, Advocate holding brief of Sri Durgesh Mishra, the learned counsel for the applicant as well as Sri Rakesh Kumar Singh, the learned A.G.A. for the State and perused the record.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 95 of 2023, under Section 307, 394, 504, 411, 397, 34 I.P.C., registered at Police Station Sushant Golf City, District Lucknow.
3. The aforesaid case has been registered on the basis of F.I.R. lodged on 24.02.2023 against three unknown persons riding a motorcycle, stating that the accused persons had snatched away the informant's mobile phone and one of them had fired a shot with a pistol, which just passed a leg of the informant's brother.
4. In the affidavit filed in support of the bail application, it has been stated that the applicant is innocent and he has been falsely implicated in the present case.
5. The police claimed to have arrested three persons, namely, Gudluck Tiwari @ Abhishek, Jayesh Pal and the applicant. It is stated that they confessed that they had given effect to the incident in question.
6. The State has filed a counter affidavit opposing the bail

application and copies of material collected during the investigation has been annexed with the counter affidavit. The applicant's involvement in 16 other cases has been disclosed in the counter affidavit.

7. A rejoinder affidavit has been filed on behalf of the applicant that the applicant has been released on bail in 12 other cases and remaining four cases are related to the same incident.

8. The learned counsel for the applicant has submitted that co-accused Abhinav Singh @ Naveen , has already been granted bail by means of an order dated 07.12.2023 passed by a coordinate bench of this Court in Criminal Misc. Bail Application No.4760 of 2023.

9. Having considered the aforesaid facts and circumstances of the case and without making any observations which may affect the merits of the case, I am of the view that the applicant is also entitled to be released on bail.

10. Accordingly, this bail application stands **allowed**.

11. Let the **applicant- Shashank Singh @ Sahil Singh** be released on bail in the aforesaid case, on furnishing a personal bond and two sureties each in the like amount to the satisfaction of Magistrate/Court concerned, subject to the following conditions: -

- (i) the applicant shall not tamper with the prosecution evidence;
- (ii) the applicant shall not pressurize the prosecution witnesses;
- (iii) the applicant shall appear on each and every date fixed by the trial court.

(Subhash Vidyarthi,J.)

Order Date :- 18.12.2023/Preeti.