

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13281 of 2023

Applicant :- Saloni Shukla

Opposite Party :- State Of U.P. Thru. Addl. Chief Secy. Home Civil Sectt. Lko

Counsel for Applicant :- Amit Kumar Singh, Gopal Krishna Dixit

Counsel for Opposite Party :- G.A., Mohan Lal Srivastava

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Gopal Krishna Dixit, the learned counsel for the applicant, Sri Jayant Singh Tomar, the learned AGA-I for the State and Sri Mohal Lal Srivastava, Advocate appearing on behalf of the informant.

2. The instant application has been filed seeking release of the applicants on bail in Case Crime No. 79 of 2023, under Sections 323, 307, 504, 506, 325, 34 IPC and Section 3/25 Arms Act, 1959 Police Station Baba Bazar, District Faizabad/Ayodhya.

3. The aforesaid case has been registered on the basis of an FIR lodged on 17.06.2023 against six persons, including the applicant, stating that all the accused persons were beating one Anant Ram Shukla and when Mohit Shukla and Atma Ram Shukla tried to save him, co-accused persons Karunasindhu Shukla and the applicant fired at him with a country made pistol.

4. Atma Ram Shukla and Mohit Shukla have received gun shot injuries in the incident and Anant Ram Shukla is said to have suffered head injury. However, the documents relating to treatment of Anant Ram Shukla at KGMU, Lucknow do not make mention of head injury.

5. An FIR bearing Case Crime No. 82 of 2023 was lodged regarding the same incident from the side of the applicant also against four persons, including all the three injured persons, stating that they had assaulted the co-accused Ishu and Soni and when Karunasindhu tried to save them, he was also beaten up.

6. In the statement of the applicant she stated that she had tried to save her father Karunasindhu and had fired a shot in the

process. Karunasindhu had suffered numerous injuries in the incident, as appears from his medico legal examination report. It has also been stated that the applicant is studying in B.A. first year and her date of birth is 12.07.2003. Two other persons from the applicant's side have received injuries in the incident. It has also been submitted that a co-accused Ishu has already been granted bail by this court by means of an order dated 03.10.2023, passed in Criminal Misc. Bail Application No.11620 of 2023.

7. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the incident took amongst persons belonging to both sides in which numerous persons from both sides have received injuries; that although it is claimed that the applicant has confessed having fired gun shot, she stated that she had fired shot to save her father who has received numerous injuries in the incident; that two co-accused persons have already been granted bail in the present case; that the applicant is a young girl having no criminal history and she is pursuing her graduation, and she is languishing in jail since 21.06.2023 and without any making any observations which may affect the merits of the case, I am of the view that the aforesaid facts are sufficient for making out a case for enlargement of applicant on bail in the instant case.

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

9. Let the **applicant-Saloni Shukla** 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 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.

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(Subhash Vidyarthi, J.)

Order Date :- 8.11.2023

Ram.