



2025:004 - 1 K03:29:507

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 10568 of 2025

Prashant Singh @ Bhole (Mentioned As Bhole
Singh In The Fir)

.....Applicant(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Lko.

.....Opposite
Party(s)

Counsel for Applicant(s) : Anurag Kumar Singh, Dharmendra
Pratap Singh

Counsel for Opposite Party(s) : G.A., Rajesh Kumar

Court No. - 15

HON'BLE KARUNESH SINGH PAWAR, J.

1.In compliance of order dated 12.12.2025 passed by this court in Bail No.12505 of 2025, the investigating officer Mr. Chakudhan Pandey as well as Dr Mohd. Atif, who had given primary treatment to the injured persons are present.

2.Learned A.G.A. has produced the injury register, a perusal whereof shows that there is a clear interpolation in the injury reports of all the injured persons, total 9. Upon a query being made to the doctor, he could not give any satisfactory explanation as to how interpolation(s) came into being, however, he submits that he was the only doctor posted at that place and there were nine injured. He has recorded all the injuries in the injury register and then he referred it for X-ray.

Upon a query being made to the learned A.G.A. as well as the doctor present before the Court, they could not demonstrate from the record that, except Ashok Singh, any other injured person had sustained a grievous injury.

3.Heard Mr. Vishwajeet Singh, learned Senior Advocate, assisted by Mr.Anurag Kumar Singh, learned counsel for the applicant, Mr. Rajesh Kumar, learned counsel for the informant, Mr. Arvind Kumar Pandey, learned Additional Government Advocate for the State and perused the record.

4. In the prosecution case, it is alleged that the nephew of the complainant, Ashok Singh, and the accused Sudhir Singh were having a dispute regarding possession of a shop situated in Town Harchandpur. On 15.08.2025, at about 12:00 noon, when the accused persons came to take possession of the said shop, Ashok Singh objected thereto. Thereupon, Sudhir Singh allegedly abused Ashok Singh and assaulted him with a pistol in his hand.

It is further alleged that Sudhir Singh, along with Bhole Singh, Jeetu @ Jitendra Singh, Vivek Singh, and 2–3 unknown persons, with a common intention and with intent to kill, started assaulting and firing upon Ashok Singh. On receiving information, Dharmendra Singh and Ajit Singh, nephews of the complainant, reached the spot, whereupon the accused persons allegedly fired upon them as well. As a result of the firing, Ashok Singh, Dharmendra Singh, and Ajit Singh sustained gunshot injuries, and five to six bystanders present at the market also allegedly sustained injuries. The injured persons were taken to Sadar Hospital, Rae Bareilly, and due to the grievous nature of the injuries, Ashok Singh and Ajit Singh were referred to AIIMS, Rae Bareilly.

It is also alleged that Ajit Singh, in order to save himself and others, fired in the air from his father's licensed gun in self-defence, whereafter the accused persons fled away from the spot.

5. Learned counsel for the applicant submits that there are general allegations in the prosecution case. He has drawn attention of this court towards the CCTV footage in which the applicant has been shown armed with danda and saria along with other co-accused persons.

He has also drawn attention of this court towards the statement of the complainant Virendra Bahadur Singh who has also assigned general role to the applicant. It is submitted that as per statement of the injured Ashok Singh, the applicant has been assigned general role of assault with lathi and danda. The applicant has a criminal history of two petty offences which have been explained in the supplementary affidavit filed today which is taken on record. The injuries received are not grievous in nature. Charge sheet has been filed.

He further submits that there were cross first information report(s) having been registered by both sides. The first information report was registered against the applicant and the second first information report No.218 of 2025 was registered by the applicant side against the complainant side, in which one of the accused Ashok Singh has been granted bail.

The applicant is in jail since 16.8.2025.

It is further submitted that there is no possibility of the applicant of fleeing away after being released on bail or tampering with the witnesses. In case the applicant is enlarged on bail, he shall not misuse the liberty of bail.

6. Learned A.G.A. and complainant's counsel opposed the prayer for bail.

Learned A G A has submitted that out of three injured who were admitted in their own in the Hospital , Ashok Singh received hairline fracture on his parietal region as well as one fracture in sacroiliac joint due to firearm shot. The other two injured Dharendra and Ajeet have absconded and therefore, statement of these two absconded injured could not be recorded at that time. After they were arrested, their statement has been taken in jail. They have also given more or less the similar statement as given by injured Ashok Singh.

7. I have considered the submission and perused the record as well as the injury report including the injury register produced by Dr. Mohd. Atif who is present in court.

A perusal of the injury report shows apparent interpolation(s) in the injuries of all the injured. On a query being made by the court, the investigating officer could not assign any reason as to why the statement of doctor who had examined the injured could not be recorded regarding the nature of injuries, although initially, the statement of the doctor who had given primary treatment to the injured persons was recorded. A perusal of the said statement does not show as to what is the nature of injuries sustained by three injured persons.

8. In view of the above discussion as also the fact that no specific role has been assigned to the applicant by the complainant, or the eye-witnesses or

even by the injured Ashok Singh, the applicant has explained the criminal history of two cases, charge sheet has been filed, arguments advanced by learned counsel for the parties, the period for which the applicant is in jail and without expressing any opinion on the merit of the case, I find it to be a fit case for enlarging the applicant on bail.

9.Let the applicant Prashant Singh alias Bhole, involved in Case Crime No.0217 of 2025 under sections 191(2), 191(3), 190, 109, 115(2), 352 BNS, P.S. Harchandpur, district Raebareli be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions which are being imposed in the interest of justice:-

(i) The applicant will not tamper with the prosecution evidence during the trial.

(ii) The applicant will not pressurize/ intimidate the prosecution witness.

(iii) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in court and he shall appear on each and every date fixed by the trial Court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

Any other condition(s) which the trial court/court concerned may deem fit and proper, in the circumstances of the case, may also be imposed.

10.The application is allowed accordingly.

11. It is clarified that the observations made in this order are confined to the present bail application and shall have no bearing on the merit of the trial.

(Karunesh Singh Pawar,J.)

December 16, 2025

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