

Court No. - 48

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 17153 of 2025

Applicant :- Sachin Sirohi And Another

Opposite Party :- State of U.P.

Counsel for Applicant :- Ayush Kaushik

Counsel for Opposite Party :- G.A., Syed Shahnawaz Shah

Hon'ble Raj Beer Singh, J.

1. Heard learned counsel for the applicants, learned counsel for the aggrieved persons and learned AGA for the State.
2. The present bail application has been filed by the applicants in Case Crime No. 73 of 2025, under Sections 191(2), 196, 197 BNS, P.S. Sadar Bazar, district Meerut with the prayer to enlarge them on bail.
3. Learned counsel for the applicants argued that applicants are innocent and they have been falsely implicated in this case. According to prosecution version, applicants along with some other persons were forcibly reciting 'Hanuman Chalisa' at the religious place belonging to other religion and thereby they were promoting enmity and hatred on the ground of religion. It was submitted that the allegations levelled against the applicants are wholly false. Applicants are political persons and they have been falsely implicated due to that reason. Learned counsel has referred contents of the first information report and statements of witnesses and submitted that there is no credible evidence against the applicants. Criminal history shown against the applicants has duly been explained in the affidavit filed in support of the bail application. Lastly, it was submitted that in case applicants are granted bail, they shall not misuse the liberty of bail and would co-operate during trial.

4. Learned A.G.A. and learned counsel for the concerned aggrieved persons have opposed the prayer of bail and submitted that there are allegations against the applicants that in order to disturb harmony, applicants have indulged in reciting 'Hanuman Chalisa' in religious place belonging to Mohammedan religion and thereby promoted enmity on the basis of religion. It was submitted that in view of allegations made against the applicants, they are not entitled for bail.

5. I have considered rival submissions and perused the record.

6. It is well settled that at pre-conviction stage, there is presumption of innocence. The object of keeping a person in custody is to ensure his availability to face the trial and to receive the sentence that may be passed. The detention is not supposed to be punitive or preventive. Seriousness of the allegation or the availability of material in support thereof are not the only considerations for declining bail. In this connection reference may be made to case of Vinod Bhandari V State of M.P. (2015) 11 Supreme Court Cases 502.

7. In the instant matter, considering submissions of learned counsel for the parties, nature of accusations, period of detention and all attending facts and circumstances of the case, without expressing any opinion on the merits, a case for bail is made out. According bail application is allowed.

8. Let the applicants, namely, **Sachin Sirohi and Sanjay Samarval** involved in aforesaid case crime, be released on bail on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions:

(i). The applicants shall not tamper with the evidence during the trial.

(ii). The applicants shall not pressurize / intimidate the prosecution witness.

(iii). The applicants shall appear before the Trial Court on the date fixed, unless personal presence is exempted.

(iv). The applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer or tamper with the evidence.

9. In case of breach of any of the above condition, the Court concerned shall be at liberty to cancel bail of applicants in accordance with law.

Order Date :- 3.6.2025
Anand