

Court No. - 82

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 23108 of 2024

Applicant :- Brahms Shankar

Opposite Party :- State of U.P.

Counsel for Applicant :- Anand Ji Mishra, Ashutosh Kumar
Srivastava, Kaushal Kumar Pandey, Rakesh Kumar
Srivastava, Santosh Kumar Yadav, Vishal Ohri

Counsel for Opposite Party :- G.A.

Hon'ble Sameer Jain, J.

Order in Crl. Misc. Correction Application No. 12 of 2025

1. The instant correction application has been filed on behalf of the applicant to correct the order dated 8.7.2025 passed by this Court.
2. Learned counsel for the applicant submits, in memo of instant bail application name of applicant has been mentioned as Brahms Shankar in place of Brahms Shankar and therefore, in para-13 of the order dated 8.7.2025 passed by this Court, his name has been transcribed as Brahms Shankar in place of Brahms Shankar, therefore, he may be permitted to make necessary correction in the memo of instant bail application and the order dated 8.7.2025 passed by this Court, may also accordingly be corrected.
3. From the record it reflects in the bail rejection order passed by the court concerned dated 2.4.2024 name of the applicant has been mentioned as 'Brahms Shankar' and therefore, in the memo of instant bail application his name has been mentioned as Brahms Shankar and therefore, in the order passed by this Court his name has been transcribed as 'Brahms Shankar'.
4. As per learned counsel for applicant the spelling of the name of applicant is Brahms Shankar and only as letter 'a' is missing in the spelling of his name transcribed in the order dated 8.7.2025, therefore, till date, he could not be released from jail.
5. In view of this Court merely on the basis of such minor spelling mistake in the name of accused in bail granting order his liberty cannot be curtailed. Considering this fact there is no need to correct the spelling of the name of applicant mentioned either in the memo of bail application or in the order dated 8.7.2025 passed by this Court, therefore, it is directed that applicant shall

immediately be released on bail pursuant to the order dated 8.7.2025 passed by this Court after verifying the other credentials of the applicant.

6. Before parting with the matter, this Court wants to remind authority concerned that right of liberty of a person is his fundamental right enshrined in Article 21 of Constitution of India and the same cannot be taken away on minor technical grounds like in the present matter. This Court hopes in future on such minor mistakes, the authorities concerned considering Article 21 of Constitution of India will not withheld liberty of a person.

7. The instant correction application stands disposed off.

Order Date :- 25.7.2025

Ankita