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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ BAIL APPLN. 700/2025

AMAN DAS

.....Petitioner

Through:

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr. Utkarsh, APP for the State with
SI Ajay Chouhan, P.S. Kalindi Kunj
Complainant in person

+ BAIL APPLN. 846/2025

MD @AMAN IN JC

.....Petitioner

Through: Ms. Anita and Mr. Aftab Hussain,
Advocates

versus

THE STATE OF GNCT OF DELHI

.....Respondent

Through: Mr. Utkarsh, APP for the State with
SI Ajay Chouhan, P.S. Kalindi Kunj

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **01.07.2025**

1. First Bail Application under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 has been filed in the aforesaid two Bail Applications by the two Petitioners Amandas and MD @ Aman in FIR No. 0301/2024 under Sections 109(1)/324(3)/332(C)/3(5) BNSS at P.S. Kalindi Kunj.
2. Petitioner Amandas, in his Bail Application, has submitted that in the CCTV footage collected by the IO of the scene of crime, he is not visible.



Further, he has been in judicial custody since 23.12.2024 and he himself had surrendered before the Court. The Charge-Sheet has already been filed and further custody of the Applicant for the purpose of investigations is no more required. It is further submitted that the charges have already been framed against him.

3. It is submitted that he has been falsely implicated in this case. The role assigned to him is of throwing the stone at the injured, which was not corroborated during the investigations. No offence *prima facie* has been made out against the Petitioner, who is innocent and may be granted bail.

4. It is further submitted that the matter has been amicably settled with the Complainant and they are in the process of filing the quashing Petition.

5. MD @ Aman in his Bail Application, has also submitted that he was not present at the spot and isn't seen in the CCTV as well. It is submitted that the Accused was arrested on 23.08.2024, but was produced on 25.08.2024 and the CCTV footage of arrest is also available.

6. It is also submitted that no interest would be served in keeping the accused behind bars any longer, as the investigation is complete and all the evidence is already in possession and power of the investigating agency. The Accused has been in prison for over six months and the trial is going to take long, and there is no chance of his absconding or tampering with the evidence. Thus, he may be released on Bail.

7. ***Learned Additional Public Prosecutor for the State*** has opposed the Bails on the ground that the Petitioners along with the co-accused persons, have formed a large mob with the common object of murdering the injured Complainant / Aman because of the *inter se* rivalry between the two groups. Six offenders entered the house of the victim on the night of 23.08.2024 and



pelted stones at his house and damaged the e-rickshaw parked in the street outside his house.

8. Thereafter, the offenders came back to his house and broke open the entrance of his house while shouting that they would kill the victim Aman. Many offenders had covered their faces with clothes. They broke open the room of the first floor of the victim's house where he was hiding to save himself from the offenders. The victim tried to escape by running towards the street, but was chased by the Petitioners along with the co-accused. The victim managed to enter a General Provision Shop in the street, where he was overpowered by the offenders and stabbed multiple times with the knife. He ran again to avoid the murder, but he was again overpowered and hit with stones. The Petitioners are the part of the mob.

9. ***The learned Public Prosecutor*** further submits that it was a crime committed by mob of six persons, who had attacked the injured not once but thrice. The injured tried to escape, but was overpowered every time. There are five stab injuries given to the victim on his face and vital parts of the body. Considering the gravity of the offence, the Bail is opposed.

10. ***Injured is present in the Court***, who has endorsed that he has arrived at the settlement with the Petitioners and has received Rs.2.5 lacs as compensation therein.

11. **Submissions heard and record perused.**

12. Essentially, it is crime of attempt to murder committed by the mob for which the Petitioners along with other co-accused persons, have been charged. They are in judicial custody since 23.08.2024. Charge-sheets have been filed. They are no longer required for investigations. Considering the totality of circumstances, the Petitioners are admitted to Regular Bail with



the following terms and conditions:-

- a) The Petitioners/Accused shall furnish a personal bond of Rs.35,000/- each with one surety of the like amount, subject to the satisfaction of the learned Trial Court.
- b) The Petitioners/Accused shall appear before the Court as and when the matter is taken up for hearing;
- c) The Petitioners/Accused shall provide their mobile number/changed mobile number to the IO concerned which shall be kept in working condition at all times;
- d) The Petitioners/Accused shall not indulge in any criminal activity and shall not communicate or intimidate the witnesses.
- e) In case the Petitioners/Accused changes their residential address, the same shall be intimated to learned Trial Court and to the concerned I.O.

13. The copy of this Order be communicated to the concerned Jail Superintendent, as well as, to the learned Trial Court.

14. The Bail Applications are accordingly disposed of.

NEENA BANSAL KRISHNA, J

JULY 1, 2025

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