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

+ **BAIL APPLN. 1552/2025**

VIVEK KUMAR

.....Applicant

Through: Ms. Shivangi, Adv.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Ajay Vikram Singh, APP
for the State with ASI Shridhar,
Anti-Narcotics Cell North
District.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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31.01.2026

CRL.M.A. 3322/2026

1. The present application is filed under Section 484 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking modification in the conditions imposed by this Court while granting bail to the Applicant/Vivek Kumar and reduction of the bail bond amount. The Applicant prays as under: -

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- a. *Allow the present application and modify the bail conditions imposed in order dated 12.12.2025 passed by this Hon'ble Court and reduce the personal bond amount from Rs. 25,000/- to Rs. 15,000/-, or any other lesser amount as this Hon'ble Court deems fit and appropriate; And*
- b. *Modify the condition to allow the Applicant to furnish the bail bond with one surety of the reduced amount: Or*
- c. *Pass any further order(s) as this Hon'ble Court may deem fit in the interest of justice.”*

2. *Vide* order dated 12.12.2025, this Court had admitted the Applicant on bail (if not in custody in any other case) and directed release on furnishing a personal bond for a sum of ₹25,000/- with two

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sureties of the like amount, subject to the satisfaction of the learned Trial Court. Certain other conditions were also imposed.

3. The present application has been filed seeking modification in the bail conditions on the ground that the Applicant has been unable to furnish the required bail bonds due to financial constraints.

4. The learned counsel for the Applicant submits that the Applicant belongs to the economically disadvantage segment of the society and lacks the means to arrange for personal bond of ₹25,000/- along with two sureties of the like amount.

5. Hence, it is prayed to reduce the personal bond amount from Rs. 25,000/- to Rs. 15,000/-, and permit release of the Applicant on furnishing one surety inasmuch as the Applicant is unable to find two sureties and is languishing in judicial custody despite being directed to be released on bail about a month ago.

6. In ***Re : Policy Strategy for Grant of Bail : 2023 SCC OnLine SC 483***, the Hon'ble Apex Court had specifically noted that if the accused is not able to furnish bail bonds and sureties within one month from the grant of bail, the concerned Court may *suo moto* take up the case and consider whether the conditions of bail require modification / relaxation.

7. It is a common knowledge that the convicts who are in custody for a long duration of time, oftentimes, find themselves in a position where they are unable to persuade even their family members to stand surety for them.

8. In view of the above, the bail conditions as imposed on the Applicant *vide* order dated 12.12.2025 are modified to the extent that the Applicant is directed to be released on bail (if not in custody in any other case) on furnishing a personal bond for a sum of ₹25,000/-



with one surety for a sum of ₹20,000/- subject to the satisfaction of the learned Trial Court.

9. The other conditions as imposed by the order dated 12.12.2025 shall remain the same.

10. The present application is allowed in the aforesaid terms.

AMIT MAHAJAN, J

JANUARY 31, 2026

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