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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1636/2025**

MANISH @ RISHI

.....Petitioner

Through: Mr. Arpit Jain, Adv.

versus

STATE (GOVT. OF NCT OF DELHI)

.....Respondent

Through: Ms. Richa Dhawan, APP with SI
Avinash Kumar, PS Anand Vihar.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

12.11.2025

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1. The present petition has been filed seeking regular bail in connection with FIR no.170/2022 under Sections 308/394/34 IPC, 1860 (Sections 307/302 IPC added subsequently) read with section 25 & 27 Arms Act, 1959.
2. Mr. Arpit Jain, the learned counsel appearing on behalf of the petitioner submits that the charge was framed by the learned Trial Court against the petitioner for the offence under Sections 392/394/411/34/304 & Section 25 Arms Act.
3. The case of the prosecution is that the complainant was going to attend a wedding function in an E-rickshaw with her sister-in-law (Ritu) when the two accused persons approached them and tried to snatch their purse. They tried to hold onto their purse, but the accused persons managed to snatch it with force, which also resulted in Ritu falling on the road and hitting her head on the ground, resulting in a fatal injury to her.



4. The learned counsel appearing on behalf of the petitioner submits that the present case is based on the oral testimony of the complainant/PW-4 (Smt. Priya) as well as her daughter namely Nandini/PW-1, who were accompanying the deceased Ritu at the relevant time.

5. He submits that during the TIP, the petitioner was not identified by the said witnesses. He further contends that in their respective testimonies, PW-4 and PW-1 have not identified the petitioner with certainty. Referring to their testimonies, he contends that the said witnesses have rather stated that the petitioner may be the offender or may not be the offender and they are not sure about the identity of the accused persons.

6. The probative value of the testimonies of PW-1 and PW-4 will be seen by the learned Trial Court. However, having gone through the testimonies of said two eye-witnesses i.e. PW-4 and PW-1, this Court finds substance in the submission of Mr. Jain, the said witnesses have stated that they are not sure about the identity of the accused persons. This tilts the balance in favour of the petitioner for grant of bail.

7. That apart, the petitioner is in custody since 12.02.2022, and no useful purpose will be served to keep the petitioner in custody to await the outcome of the trial in light of the testimonies of PW-4 and PW-1. Besides that, the petitioner has presumption of innocence in his favour at this stage.

8. It is pointed by the learned APP that there are previous involvements of the petitioner, and there is possibility that in the event petitioner is released on bail, he may again indulge into illegal activities of snatching. The apprehension expressed by the learned APP can be allayed by putting strict condition on the petitioner.

9. In view of the above facts and circumstances, the petitioner is



admitted to regular bail, subject to his furnishing a personal bond in sum of Rs.30,000/- with one surety of the like amount to the satisfaction of the learned Trial Court/JMFC/Duty JM, further subject to the following conditions:

- (a) The petitioner shall not leave city/NCR region without informing the local SHO; and
- (b) The petitioner shall provide his mobile number to the IO concerned which shall be kept in working condition at all times and he shall not change the mobile number without prior intimation to the Investigating Officer concerned.
- (c) The petitioner shall report on 2nd and 4th Saturday of every month to the IO concerned.

10. It is clarified that the observations made hereinabove are only for the limited purpose of deciding the present bail application and the same shall not be construed as an expression of opinion on merits of the case.

11. The petition stands disposed of.

12. Copy of the order be forwarded to the concerned Jail Superintendent for necessary compliance.

13. Order *dasti* under signatures of the Court Master.

VIKAS MAHAJAN, J

NOVEMBER 12, 2025/sr