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

+ BAIL APPLN. 1704/2025, CRL.M.A. 13560/2025, CRL.M.A.
13561/2025 & CRL.M.(BAIL) 955/2025

ARSHAD MUJAHID

.....Petitioner

Through: Mr. Lalit Kumar and Mr. Nitin Tyagi,
Advocates.

versus

STATE NCT OF DELHI & ORS. & ANR.Respondents

Through: Mr. Manoj Pant, APP for the State
with Ms. Pallavi, Advocate and ASI
Youdhul, P.S. New Usmanpur

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER
22.05.2025

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1. By way of this bail application, the applicant seeks grant of regular bail in case arising out of FIR No. 574/2024, registered at Police Station New Usmanpur, Delhi, for the commission of offences punishable under Sections 307/109(1)/62/3(3) of the Bharatiya Nyaya Sanhita, 2023 (hereafter 'BNS').

2. Briefly stated, the facts of the case are that on 22.10.2024, upon receiving an information *vide* DD no. 137A regarding an incident of a stabbing having taken place, a team of police officials had reached the spot, where they had discovered that the injured had already been taken to JPC Hospital. They had accordingly reached the said hospital and collected the MLC no. 12911/24. The statement of caller Vinit was recorded who



revealed that on 22.10.2024, at about 8 PM, while the complainant and his friends were at the complainant's shop, a boy had come and informed them that two boys – the present applicant and co-accused – were trying to steal a 'Chota Hathi' (champion) vehicle bearing no. DL1LAE5768 that belonged to the complainant's brother. The complainant along with his friends had run towards that direction and had caught hold of the two boys and brought them to the complainant's shop. At the shop, one of the complainant's friends, Harsh Dubey, had slapped one of the boys, and in retaliation, that boy had taken out a knife-like object and attacked the complainant's friend Harsh Dubey on his back, due to which blood had started oozing out. During investigation, the applicant herein was arrested and on the basis of the aforesaid statement the present FIR was registered.

3. The learned counsel appearing for the present accused/applicant submits that the applicant has been falsely implicated in the present case and he has been in judicial custody for over six months. It is contended that as per the MLC, the injury suffered by the complainant is a sharp injury, but it is not on any vital part of the body and is not fatal in nature. Further, the injured person was also discharged from the hospital on the same day, indicating that the injury was not serious. The learned counsel also points out that charges have yet not been framed in the case, and there is no previous criminal involvement of the applicant. Therefore, it is prayed that the applicant be granted regular bail.

4. The learned APP for the State, on the other hand, opposes the bail application and submits that the applicant is the person who had stabbed the victim. It is further submitted that the weapon of offence used in the incident is a knife measuring 14 cm in length. It is contended that the alleged offence



is of serious nature and therefore, the present bail application be dismissed.

5. This Court has heard arguments addressed by the learned counsel appearing for either side and perused the case file.

6. In the present case, this Court notes that the nature of injury sustained by the victim, as mentioned in the MLC, is a sharp injury. However, it is relevant to note that the said injury is not on any vital part of the body. The wound measures approximately 3 cm x 0.5 cm and is located on the lower back of the victim. It is also noted that the injured was discharged on the same day from the hospital.

7. This Court's attention has also been drawn to the report of the Senior Medical Officer of the concerned Jail, which has been placed on record, in which it has been opined that the applicant herein requires medical attention with respect to traumatic injuries received by him on the lower abdominal area of his body some years back.

8. The applicant has been in judicial custody for more than six months. Considering the overall facts and circumstances of the case, and for the reasons mentioned hereinabove, this Court is inclined to grant regular bail to the applicant on his furnishing personal bond in the sum of Rs.10,000/- with surety of the like amount to the satisfaction of the Trial Court/Successor Court/Link Court/Duty Judge concerned on the following terms and conditions:

- i) The applicant shall surrender his passport and not leave the country without prior permission of the concerned Court.
- ii) The applicant shall not directly or indirectly make an attempt to influence the witnesses, or tamper with the evidence in any manner.



iii)The applicant shall share his mobile number with the concerned IO/SHO, and shall keep the same switch on/active at all times.

iv)In case of change of residential address/contact details, the applicant shall promptly inform the same to the concerned Court.

v)The applicant shall appear regularly before the learned Trial Court.

9. Accordingly, the present bail application stands disposed of. Pending applications are also disposed of as infructuous.

10. Nothing expressed hereinabove shall tantamount to an expression of opinion on the merits of the case.

11. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

MAY 22, 2025/A

[Click here to check corrigendum, if any](#)