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

+ **BAIL APPLN. 2454/2025**

AJAY ALIAS BAKCHANDA

.....Petitioner

Through: Mr. S.N. Shukla and Mr. Vivekanand
Jha, Advocates

versus

STATE OF DELHI (NCT OF DELHI)

.....Respondent

Through: Mr. Manoj Pant, APP for the State.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

23.09.2025

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1. By way of the instant application, the applicant is seeking grant of regular bail in case arising out of FIR bearing no. 288/2022, registered at Police Station Anand Parbat, Delhi, for the commission of offence punishable under Sections 302/120B/394/397/411 of the Indian Penal Code, 1860 (hereafter 'IPC') and Section 25 Arms Act, 1957.
2. Briefly stated, the facts of the present case are that on 06.06.2022, upon the receipt of GD No. 30A, the police officials had reached the spot, where they found a dead body of an unknown person, who was aged about 22 years. Accordingly, the aforesaid FIR bearing no. 288/2022, was registered at P.S. Anand Parbat, Delhi against the unknown person for the offence under Section 302 of IPC. During the course of investigation, CCTV footage were recovered, which revealed that the individuals had surrounded the victim, and one of them had inflicted a knife injury to the



victim/deceased. The three accused persons were identified and it was further revealed that the present applicant/accused Ajay, co-accused Sonu, Praveen and Jatin had conspired to attack the victim/deceased Vijay. Thereafter, the present applicant/accused was arrested.

3. The learned counsel appearing on behalf of the applicant argues that the present applicant has been falsely implicated in the present case. It is argued that the applicant herein was neither present at the spot at the time of alleged offence nor he was seen in the CCTV footage of the crime scene with any of the other co-accused on the date of the alleged incident. It is further argued that the present applicant was arrested only on the basis of disclosure statement of the co-accused Sonu. It is also argued that the knife which was allegedly used for the commission of offence was not recovered at the instance of the applicant. Therefore, it is prayed that the present applicant be released on regular bail.

4. The learned APP for the State, on the other hand, argues that allegations against the present accused/applicant are serious in nature. It is also argued that the weapon of offence had been purchased by the present accused/applicant. It is further argued that the present applicant/accused has conspired with other co-accused persons to attack the victim/deceased, in order to take revenge from the victim/deceased. Therefore, it is prayed that the present applicant for grant of regular bail be rejected.

5. This Court has heard arguments addressed on behalf of both the sides and has perused the material available on record.

6. After hearing arguments and going through the case file, this Court is of the opinion that though the prosecution story is that the knife which has allegedly been used for the commission of the offence was purchased by the



present applicant and was recovered at his instance, however, the FSL report reveals that the blood group on the knife does not match with that of the victim. It is also noted that the present applicant/accused was not present at the place of incident during the commission of the offence, as per the CCTV footage of the incident.

7. Considering the overall facts and circumstances of the case, this Court is inclined to grant regular bail to the applicant herein, on his furnishing personal bond in the sum of Rs.15,000/- with one surety of the like amount, subject to the satisfaction of the learned Trial Court/Successor Court/Link Court/Duty Judge concerned on the following terms and conditions:

- i) The applicant shall not leave the country without prior permission of the concerned Court and if the applicant has a passport, he shall surrender the same to the concerned trial court.
- ii) In case of change of residential address/contact details, the applicant shall promptly inform the same to the concerned Court and IO/SHO concerned.
- iii) The applicant shall appear regularly before the learned Trial Court, unless exempted.
- iv) The applicant shall not communicate with, or come into contact with any of the prosecution witnesses, or tamper with the evidence of the case.

8. Accordingly, the present bail application stands allowed, and is disposed of.

9. It is, however, clarified that nothing expressed hereinabove shall tantamount to an expression of opinion on merits of the case.



10. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

SEPTEMBER 23, 2025/zp