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

+ **BAIL APPLN. 3292/2025**

BILAL ANSARI

.....Petitioner

Through: Mr. M. L. Yadav, Mr. Harish Chand,
Mr. Anant Chittoria, Mr. Deepak
Kumar, Mr. Prashant, Ms. Vipakshi
Rana, Advs.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Utkarsh, APP.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **15.10.2025**

1. First Application under Section 483 BNSS has been filed on behalf of the Petitioner seeking Regular Bail in FIR No.0496/2024 under Sections 221/132/109(1)13(5)1317 BNS and Sections 25/27 Arms Act, registered at PS: Special Cell, Delhi.

2. It is submitted that the case of the prosecution is that on 28.10.2024 at around 11:20 PM, a secret information was received that two wanted criminal associated with Kushal Choudhary Gang and Pawan Shokeen Gang, who had fired bullets two days earlier in an extortion case, would be coming to meet their associates at Kakrola Ganda Nala, at around 02:00 AM on 29.10.2024.

3. The raid was conducted and the motorcycle, on which the Applicant and co-accused were coming, was blocked. Police asked them to surrender, but they did not stop the motorcycle, but it got dis-balanced and crashed into a Metro pillar. The Applicant, who was a pillion rider on the motorcycle, fired two rounds from his pistol, though no one was hurt. On this, Police team fired



back and one bullet hit the Applicant's leg, on which he fell down and pistol also fell from him hand. The Applicant tried to take out is another *Desi Katta* and tried to fire at the raiding party, but was over-powered. The guns were recovered from the Applicant, which included one pistol and four live rounds and one *Desi Katta* with one live cartridge. One *Desi Katta* was also recovered from the co-accused Shuheb Qureshi.

4. The Applicant got injured during the incident and he was taken to the Hospital and was subsequently arrested. The Motorcycle, on which the Applicant and co-accused were riding, was later found to be a stolen Motorcycle, as per record. The FIR was accordingly, registered.

5. **Bail is sought** on the ground that the Applicant is in judicial custody since 29.10.2024, i.e. nearly about a year. He is young boy of 20 years and has been falsely implicated in the present case. The recovery shown, has been planted falsely. The gun shot injury suffered by the Applicant on the back side of his leg has exited from the leg diagonally, as per the MLC. It is very unlikely that the injury was caused during confrontation, had the alleged shooting been face to face.

6. In the present case, there is no independent eye-witness nor any CCTV footage to support the case of the prosecution. The investigations already stand concluded and the Chargesheet has been filed. There are total 15 Prosecution witnesses, which is likel to take considerable time. Co-accused Shuheb has been granted bail by the learned Sessions Court vide Order dated 14.07.2025.

7. The Applicant was admitted to Interim Bail by the learned Sessions Court vide Order dated 21.06.2025 and he abided by the conditions and surrendered in time. It is further submitted that there are several cases cited



against the Applicant, but he has been acquitted and granted bail in three of them.

8. Reliance is placed on Satpal Kake vs. State (NCT of Delhi), BAIL APPLN.493/2023; Ayub Khan vs. State of Rajasthan, SLP(CRL) No.10587/2023 and Guidant Narsimha & Ors. vs. Public Prosecutor, High Court of Andhra Pradesh, (1978) 1 SCC 240.

9. It is further submitted that the family of the Applicant is at the brink of starvation and facing hardship for their survival. This struggle of the Applicant's family is itself is a fresh ground for mercy. The Applicant is not in a capacity of threatening the witness or tampering with the evidence. He has deep roots in society and there are no chances of him fleeing from the clutches of law. His conduct has been satisfactory in the Jail and no punishment for violating of any Prison Rules, has been given to him. Prayer is therefore, made that he be granted Bail.

10. **Status Report has been filed on behalf of the State**, wherein details of the Chargesheet have been mentioned. Details of three criminal cases pending against the Applicant are also mentioned.

11. **Bail is opposed** on the ground that the Applicant may abscond, engage in further serious offences, as he is part of an active gang network.

Submissions heard and record perused.

12. Admittedly, it is a case where the Police team on secret information, had tried to apprehend the Applicant, who in order to escape had fired to shots at the Police team, though none was injured. On the other hand, as he was trying to run away, the Police Team immobilized him by shooting and he got hit by a bullet on the back of his leg. The Chargesheet already stands filed. He is not required for further interrogation.



13. Considering the totality of the circumstances and that the trial is likely to take long, the Petitioner/Applicant is granted Regular Bail, on the following terms and conditions:

- a) The Petitioner/Applicant shall furnish a personal bond of Rs.50,000/- and one surety of the like amount, subject to the satisfaction of the learned Trial Court;
- b) The Petitioner/Applicant shall appear before the Court as and when the matter is taken up for hearing;
- c) The Petitioner/Applicant shall provide his mobile number/changed mobile number to the IO concerned, which shall be kept in working condition at all times;
- d) The Petitioner/Applicant shall not indulge in any criminal activity and shall not communicate or intimidate the witnesses; and
- e) In case the Petitioner/Applicant changes his residential address, the same shall be intimated to learned Trial Court and to the concerned I.O.

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

15. The Bail Application is accordingly disposed of. Pending Application, if any, also stands disposed of.

NEENA BANSAL KRISHNA, J.

OCTOBER 15, 2025/R