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

+ **BAIL APPLN. 3301/2025**

VIPIN KUMAR ALIAS LUKA

.....Petitioner

Through: Mr. Amit Kumar Singh, Mr. Rohit
Rexwal, Ms. Manpreet Kaur,
Mr. Santosh Kumar and Mr. Aditya
Raj, Advocates

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Utkarsh, APP for the State with
Insp. Rajeev Ranjan, SI Mohit, P.S.
Begumpur

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

03.11.2025

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1. First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed on behalf of the Applicant-Vipin Kumar alias Luka for grant of Regular Bail in FIR No. 0039/2025 registered under Sections 103(1) BNS at P.S. Begumpur.
2. It is submitted that the Applicant is a young boy of 21 years belonging to a humble rural background and is a resident of Aligarh, who has been falsely implicated in this case only on the basis of suspicion expressed by one Naveen, Supervisor at Rao Travels in regard to the death of Driver, whose body was found inside the bus with cranial injuries.
3. Without any cogent material or eyewitness account, suspicion imputed to the Applicant is based merely on the fact that he was employed as a helper in the bus. The Applicant has been arrested on 16.01.2025 solely



on the basis of conjectures and inconclusive circumstantial evidence such as, the absence from the spot and GPS logs showing that the bus was stationary. There was no direct evidence or coherent chain of circumstances establishing the culpability of the Applicant.

4. The allegedly recovery of iron rod was not made from the Applicant possession or at his instance. No incriminating articles such as bloodstained clothes or belongings, linking him with the offence was recovered. Even the FSL Report does not connect the Applicant to the seized articles.

5. The Postmortem Report only records that death was due to craniocerebral trauma caused by object, but does not confirm involvement of the Applicant or indicate any scuffle between the deceased and the Applicant. The CCTV footage is inconclusive and does not show the Applicant committing the offence.

6. There is no motive or enmity with the deceased. He is a law abiding citizen having no prior criminal antecedents and is the sole bread earner of his impoverished family, consisting of his father and three younger siblings. The investigation is complete and the Chargesheet has been filed and custodial interrogation is no longer required.

7. The trial is likely to take considerable time to conclude. His first Bail Application was dismissed on 04.03.2025 during the pendency of the investigations. The second Application before the Vacation Bench was withdrawn on 10.06.2025 with liberty to approach the Trial Court. The third Application has been dismissed on 16.07.2025 primarily on the basis of CCTV footage and an apprehension of witness intimidation, both of which are unfounded. It is, therefore, submitted that the Applicant be admitted to Bail.



8. ***Learned Counsel on behalf of the Applicant*** further submits that there is no mobile phone recovered till date, which would establish the CDR connectivity.

9. ***The Status Report has been filed on behalf of the State*** wherein it is that on 14.01.2025, the dead body was recovered from the bus, in an abandoned state. A blood lashes were found on the driver seat and the body was having injury marks. The investigations were done. The Applicant was detained from his village, on 14.01.2025. On interrogation, he admitted the commission of the offence. CDR of the deceased was obtained and his mobile phone was found on 13.01.2025. The footage of CCTV cameras installed in the alleged bus was also obtained and the deceased alongwith the Applicant, can be seen together sitting at the place of incident, which was also confirmed from GPS data obtained from GPS Desk Company of the tracker installed in the bus.

10. ***Bail is opposed on the ground*** that the offence is heinous in nature. There is direct evidence against the Applicant. Blood stained clothes, handkerchief were obtained at the instance of the Applicant, The CCTV footage also shows his implication. He may flee from judicial proceedings or may influence the witnesses. The Bail Application is, therefore, opposed.

Submissions heard and record perused.

11. The Applicant has been charge-sheeted for offence of murder of the Driver of the bus on which he was employed as a Conductor. The entire case of the Prosecution is based on the circumstantial evidence.

12. The Applicant may be a young boy of 21 years, but the Charges under 302 IPC have been framed against him, which have not been challenged. The Prosecution evidence is yet to commence. He is in judicial custody from



January, 2025.

13. Considering the gravity of the offence and also that Prosecution evidence is yet to commence and that there is no delay, no case is made out for grant of Bail.

14. The Bail Application is hereby dismissed.

NEENA BANSAL KRISHNA, J

NOVEMBER 3, 2025

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