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

+ **BAIL APPLN. 120/2026**

AMIT TIWARI

.....Applicant

Through: Ms. Vrinda Bhadari, Adv. (through VC) and Ms. Nitya Jain with Mr. Sagar Tiwari (brother of Applicant through VC)

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Raghuinder Verma, APP for the State with Ms. Upasna Bakshi, Advocate and IO/SI Ashish Panwar, PS.: Ghazipur

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

11.02.2026

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1. By virtue of the present application under *Section 483* of the Bharatiya Nagarik Suraksha Sanhita, 2023 read with *Section 439* of the Code of Criminal Procedure, 1973, the applicant seeks grant of interim bail for a period of *three months* in proceedings arising out of FIR No.53/2025 dated 26.01.2025 registered at PS: Ghazipur under *Sections 103(1)/238(a)* of the Bharatiya Nyaya Sanhita, 2023 (**BNS**).

2. It is the case of the applicant that he has been advised to undergo surgery to remove a foreign object lodged in his finger by the doctors at GTB Hospital, and any delay therein could result in the amputation of his finger. The applicant has relied upon the Medical Reports dated 29.12.2025 and 03.01.2026 issued by Dr. Manish Kumar Nagar at the GTB Hospital in support thereof.



3. Learned counsel for the applicant submits that the medical condition of the applicant is precarious, as there is constant loss of blood from his finger, which has also made him susceptible to other infections and diseases. He further submits that since no proper medical treatment has been given to the applicant while in custody, he requires treatment at a private hospital, and while undergoing surgery at the hospital, there will be no possibility of him misusing his liberty.

4. Medical Status Report as well as Nominal Roll was requisitioned from the concerned Jail Authorities.

5. As per the above, the Medical Reports furnished by the applicant have been verified, as also that the wound of the applicant has been diagnosed as a *Granuloma* for which excision surgery under local anaesthesia has been advised. Further, the applicant has undergone over a year in custody, and his conduct has been '*Satisfactory*'.

6. Learned APP for the State submits that considering the medical exigency urged by the applicant, he has no objection if the applicant is released on interim bail, *albeit* only for a period of *one week*.

7. Considering the facts and circumstances involved, particularly, the medical condition of the applicant which has been verified by the concerned Jail Authorities, as also since as per the Nominal Roll, the conduct of the applicant has been satisfactory while under custody, and on humanitarian grounds, this Court is of the considered view that the applicant is entitled to be released on *interim bail*.

8. Accordingly, the applicant is directed to be released on interim bail in FIR No.53/2025 dated 26.01.2025 registered at PS: Ghazipur under *Sections 103(1)/238(a)* of the BNS, for a period of *one week* from the date



of his release, subject to the following conditions:-

- (i) The applicant shall furnish a personal bond in the sum of Rs.25,000/- with one surety in the like amount, to the satisfaction of the concerned Jail Superintendent.
- (ii) The applicant shall not leave Delhi/ NCR without prior permission of this Court and shall ordinarily reside at the address as per prison records.
- (iv) The applicant shall furnish to the IO/ SHO PS: Ghazipur, Delhi a cell-phone number of one family member on which the applicant may be contacted at any time and shall ensure that the number is kept active and switched-on at all times.
- (v) In addition to the above, the applicant shall share his real-time/ live location on Google Maps with the IO/ SHO and shall keep that setting 'on' at all times during the period of interim bail, so that the concerned IO may be able to verify the applicant's location, at any time.
- (vi) If the applicant has a passport, he shall surrender the same to the concerned Jail Superintendent and shall in no case travel out of the country without prior permission of this Court.
- (vii) The applicant shall not contact, nor visit, nor offer any inducement, threat or promise to any of the prosecution witnesses or other persons acquainted with the facts of case. The applicant shall not tamper with evidence nor otherwise indulge in any act or omission that is unlawful or that would prejudice the proceedings in the pending trial.
- (viii) Upon expiry of the *one week* period of interim bail, the



applicant shall surrender before the concerned Jail Superintendent on or before 12:00 Noon on the date of expiry of *one week* from the date of release.

9. A copy of the order be sent to the concerned Jail Superintendent for information and compliance *forthwith*.

10. Accordingly, the present application is disposed of in the aforesaid terms.

SAURABH BANERJEE, J

FEBRUARY 11, 2026/bh