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

+ **BAIL APPLN. 3857/2025**

ANIKET @ ABHI

.....Petitioner

Through: **Ms. Sheetal, Advocate**

versus

STATE NCT OF DELHI

.....Respondent

Through: **Mr. Yudhvir Singh Chauhan, APP
for State with with SI Sandeep
AATS/East District**

+ **BAIL APPLN. 3989/2025**

ISHANT @ ISHU

.....Petitioner

Through: **Mr. Pradeep Teotia, Advocate**

versus

STATE G.N.C.T OF DELHI

.....Respondent

Through: **Mr. Yudhvir Singh Chauhan, APP
for State with SI Sandeep
AATS/East District.**

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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27.02.2026

1. By way of the present applications, the applicants seek regular bail in connection with FIR No. 159/2025 dated 05.04.2025, registered at Police Station Mayur Vihar Phase 1, District East, Delhi, for the offences punishable under Sections 109(1)/326(f)/125/3(5) of the Bhartiya Nyaya Sanhita, 2023 ["BNS"], read with Section 27 of the Arms Act, 1959.



2. As both the applications arise out of the same FIR, they are taken up for hearing together.
3. In both cases, the applicants had applied for regular bail before the learned Additional Sessions Judge, District East, Karkardooma Courts, Delhi [“Sessions Court”], which was dismissed in the case of Aniket@ Abhi on 02.08.2025 and in the case of Ishant @ Ishu also on 02.08.2025.
4. Notice was issued in these applications on 09.10.2025 [in BAIL APPLN. No. 3857/2025] and 16.10.2025 [in BAIL APPLN. No. 3989/2025], and the State was directed to file its status report in both the cases. By the said orders, the Investigating Officer [“IO”] was also directed to inform the complainant regarding the pendency of the present applications.
5. No status report has been filed. However, Mr. Yudhvair Singh Chauhan, learned Additional Public Prosecutor, submits that he will advance arguments on the basis of the replies filed to the respective bail applications before the learned Sessions Court.
6. Mr. Chauhan submits, upon instructions from the IO, who is present in Court, that the victim has been informed. However, the victim is neither present in Court nor represented by counsel.
7. The subject FIR was registered at the instance of one Mohammad Zaid (i.e., the complainant). It is stated that he and his father run an e-rickshaw charging and repairing shop at Trilokpuri, Delhi. One Sanjay, whom the complainant has known for about nine years used to park his car [Nissan Magnite, registration No. DL-14-CH-7343] in front of their shop. It is alleged that, on 05.04.2025 at about 3:45 p.m., five boys (three riding on a motorcycle and two on a scooter) came towards the shop,



damaged Sanjay's car by hurling stones, and then poured petrol on the car and set it on fire. As the complainant ran towards the place of the incident, they abused him, issued threats to Sanjay, and one of the boys drew a pistol and fired two rounds at the complainant before fleeing from the scene.

8. The chargesheet has since been filed under Sections 109(1)/326(f)/125/61(2)/3(5) of the BNS, and Sections 25/27 of the Arms Act, 1959, and the matter is pending before the learned Trial Court for arguments on charge.

9. In the replies to the applications filed before the Sessions Court, the prosecution has stated that the accused had issued threats to Sanjay in relation to certain financial transactions. During the course of investigation, three Children in Conflict with Law ["CCL"] were apprehended and two adult accused, namely, Aniket @ Abhi and Manoj Ojha, were arrested. Subsequently, one CCL namely, Ishant @ Ishu (the applicant in BAIL APPLN. No. 3989/2025), was declared to be a major and was thereafter arrested. The prosecution contended that the offence was committed by the CCLs and the two applicants herein under the directions and instructions of co-accused Manoj Ojha.

10. I am informed that Manoj Ojha was released on regular bail on 25.06.2025 and has since passed away.

11. In the chargesheet, it is stated that CCTV footage from the proximate areas has been collected. Although Mr. Chauhan submits that there is no CCTV footage of the incident itself, he has handed over certain still images from footage of proximate CCTVs, which show the accused riding motorcycles. In some of the images, one of the persons



riding a motorcycle appears to have drawn a pistol in the air.

12. Learned counsel for the applicants submit that, in the present case, no injury was caused to any person; there is no forensic evidence connecting the applicants to the offence; and even the CCTV images show that the firing, if any, took place in the air. It is further submitted that the applicants are young persons, aged 22 and 20 years, respectively, with clean antecedents.

13. I am of the view that the present case is a fit case for grant of regular bail to the applicants in the facts and circumstances outlined above. Although the offence under Section 109(1) of the BNS is undoubtedly serious, it *prima facie* appears that no injury was caused to any person, even on the prosecution case. The CCTV images obtained from the proximate areas appear to show applicant Ishant @ Ishu, waving a pistol in the air while riding pillion on a two-wheeler, and applicant Aniket@Abhi driving the other motorcycle. The chargesheet has been filed, citing 30 witnesses. Charges are yet to be framed, and the trial is likely to take a substantial amount of time. The applicants, who are stated to be 22 and 20 years of age, have been in custody for more than 10 months. Mr. Chauhan, on instructions from the IO, submits that the applicants have clean antecedents.

14. In these circumstances, it is directed that the applicants be released on regular bail in connection with FIR No. 159/2025 dated 05.04.2025, registered at Police Station Mayur Vihar Phase I, District East, Delhi, for the offences punishable under Sections 109(1)/326(f)/125/3(5) of the BNS, read with Section 27 of the Arms Act, 1959, subject to each of them furnishing a personal bond in the sum of Rs.20,000/-, with one



surety each in the like amount, to the satisfaction of the learned Trial Court/Duty M.M. and subject to the further conditions:

- a. The applicants shall appear before the Trial Court on each and every date of hearing.
 - b. The applicants shall appear before the IO once a week, i.e., every Friday at 4 P.M., and will be released within one hour after completion of all formalities.
 - c. The applicants shall ordinarily reside at the address as per prison records, and shall not change the address without informing the concerned IO/Station House Officer [“SHO”]. The applicants shall intimate the IO, and file an affidavit before the Trial Court regarding any change in residential address.
 - d. The applicants shall provide their mobile numbers to the concerned IO/SHO, which shall be kept in working condition at all times. The mobile numbers shall not be switched off or changed without prior intimation to the IO during the pendency of the trial;
 - e. The applicants shall not leave the National Capital Region of Delhi without prior permission of the Court.
 - f. The applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case, in any manner whatsoever;
 - g. The applicants shall not commit any offence during the period of their release.
15. The bail applications are disposed of in terms of the above.
16. It is clarified that any observations made in the present order are



solely for the purpose of deciding the present bail applications, and shall neither influence the trial proceedings, nor be construed as an expression of opinion on the merits of the case.

17. Copy of the order be communicated to the concerned Jail Superintendent electronically for information and necessary compliance.

PRATEEK JALAN, J

FEBRUARY 27, 2026

'SV/JM'/'