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

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BAIL APPLN. 4463/2025

VIJAY KUMAR @ BUNTY

...Applicant

Through: Mr. Sankalp Goswami, Adv. (Through VC)

versus

STATE (GNCT OF DELHI)

...Respondent

Through: Mr. Raghuinder Verma, APP with Mr. Aditya Vikram Singh, Adv. Mr. Sarthak Karol, Adv. (DHCLSC) with Ms. Neelakshi Bhadauria and Ms. Tanishka Pawar, Adv. for complainant; SI- Kuldeep, PS: Sarai Rohilla

**CORAM:**

**HON'BLE MR. JUSTICE SAURABH BANERJEE**

**ORDER**

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**13.04.2026**

1. By virtue of the present application under *Section 483* of the Bharatiya Nagarik Suraksha Sanhita, 2023, the applicant seeks grant of regular bail in proceedings arising out of FIR No.525/2025 dated 12.08.2025 registered under *Sections 109(1)/61(2)/3(5)* of the Bharatiya Nyaya Sanhita, 2023 (**BNS**) and *Sections 25/25(8)/27/29* of the Arms Act, 1959 (**AA**) at PS: Sarai Rohilla.

2. *Succinctly put*, an FIR was registered at the instance of the complainant as per whom, on 11.08.2025 at about 11:30 PM, one Ankush/ co-accused with whom the complainant's brother had gotten into a quarrel arrived below their house and began to shout and threaten the said brother that he will shoot and kill him. When they peeked down from the first floor then, he fired a bullet at them with the intention to kill them which hit the sunshade instead, whereafter they raised an alarm. Hearing the same, a neighbour arrived and snatched the loaded country made pistol from the co-accused, which was later seized by the Police, whereafter he fled the spot. During the course of investigation, the co-accused disclosed



that he had obtained the country made pistol from the applicant herein, with whom the CDR revealed the co-accused was in constant contact. The applicant then was arrested on 27.08.2025 from Aligarh. During his Police Custody, *five* empty cartridges and *one* live cartridge was obtained at his instance, as well as several other accused persons carrying on the operation of making illegal pistols, from whom several pistols, cartridges, barrels and other instruments and raw materials used for making pistols have been recovered. The charge-sheet has since been filed.

3. In these facts, learned counsel for the applicant has submitted before this Court that since the applicant is not named in the FIR, and his alleged involvement is based only on the disclosure statement made by the co-accused, as also no pistols have been recovered from him, there is no substance in the allegations made against him, as his role can, at best, be attributed to have sold a firearm. He further submits that since the applicant is a law abiding citizen with no criminal antecedents, and does not fail the '*trinity test*', i.e. not being a flight risk, as also not having any likelihood of evidence tempering and witness intimidation, he ought to be released on bail. Barring the same, nothing else has been addressed by learned counsel for the applicant.

4. *Per contra*, learned APP for State submits that the investigation clearly shows involvement of the applicant in the present offence, who is an arms dealer with a wide network, since at his instance, not only were empty and live cartridges obtained, but the other co-accused persons were also apprehended one after the other who were in possession of a bulk of weapons and their raw materials, and were running illegal arms factories. The CDR also revealed that the co-accused was in constant contact of the



applicant herein. Considering the seriousness of the circumstances involved, he submits that there is every likelihood of the applicant tampering with the evidence and influencing the witnesses if released on bail, and as such, the present application ought to be dismissed.

5. Learned SC for the DHCLSC representing the complainant has also supplemented the arguments addressed by learned APP. He submits that the cogent material gathered during investigation *prima facie* reveals a strong case against the applicant as he is involved in running an illegal arms racket. As such, considering the gravity thereof, no case for granting him bail is made out as per the settled legal position.

6. Heard.

7. Upon an overall consideration of the facts and circumstances involved, especially the recovery of cartridges from the applicant during his Police Custody, as also his consistent links evident by the CDR analysis with the main co-accused Ankush who attempted to shoot the brother of the complainant, as well as the other co-accused persons disclosed by him who have been found running an illegal arms manufacture and supply network, *prima facie* there is involvement of the applicant in the offence at hand. Since the applicant is a native of Uttar Pradesh and the firing has happened within the precincts of this Court, there is an evident inter-state network involved herein. This shows that the applicant's wings are spread far and wide. More so, the investigation has revealed a large volume of raw materials and weapons connected with the applicant. Hence this Court has to bear in mind the element of public health and safety involved, and the risk of the applicant evading the process of law and using his illegal network(s) and operation(s) to engage



in evidence tampering and/ or witness intimidation and indulging in similar activities. In this regard, there is nothing aside from bald assertions made by learned counsel for the applicant.

8. In any event, the present proceedings are at a highly nascent stage, and all other contentions taken by the applicant before this Court *qua* the issues and provisions involved coupled with the role assigned being matters of trial, need not be considered at this stage.

9. In view of the afore-going, the present application, being wholly devoid of merit, is dismissed.

10. However, any observation(s) made on the merit(s) involved are solely for the purposes of the present application and shall have no bearing on the trial involved.

**SAURABH BANERJEE, J**

**APRIL 13, 2026/Ab**