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

+ **BAIL APPLN. 4943/2025**

VINOD YADAV

.....Petitioner

Through: Mr. S.C. Jha, Mr. Amit Kumar Jha,
Mr. Ranveer Kumar Kamat, Mr.
Kushal Sinha and Mr. Varun Katiyar,
Advs.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Manoj Pant, APP for the State
with Insp. Manmeet Singh, PS Khyala

+ **BAIL APPLN. 52/2026**

LALLAN KUMAR

.....Petitioner

Through: Mr. R.N. Sharma, Mr. Pranav Dixit,
Mr. OM Kumar Sharma, Advs.

versus

STATE (GOVT. OF NCT OF DELHI)

.....Respondent

Through: Mr. Naresh Kumar Chahar, APP for
the State with Insp. Manmeet Singh,
PS Khyala

+ **BAIL APPLN. 112/2026**

SHRAVAN KUMAR

.....Petitioner

Through: Mr. R.N. Sharma, Mr. Pranav Dixit,
Mr. OM Kumar Sharma, Advs.

versus

STATE (GOVT. OF NCT OF DELHI)

.....Respondent



Through: Mr. Naresh Kumar Chahar, APP for
the State with Insp. Manmeet Singh,
PS Khyala

CORAM:
HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER
11.02.2026

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1. By way of the above-captioned applications, the applicants – Vinod Yadav, Lallan Kumar and Shravan Kumar – seek grant of regular bail in case arising out of FIR bearing no. 858/2022, registered at Police Station Khyala, Delhi for offence punishable under Sections 304(1)/308/34 of the Indian Penal Code, 1860 (hereafter ‘IPC’).
2. Briefly stated, the facts of the present case are that the FIR was registered on 22.12.2022 on the basis of the statement of the complainant, Mr. Sanju. It is alleged that on 22.12.2022, *vide* GD No. 12-A, a PCR call regarding a physical assault at Gate No. 2, Keshav Pur Mandi had been received at P.S. Khyala. Upon receipt of the said information, the Investigating Officer (I.O.) had reached the spot and found that the PCR van had already shifted an unknown injured person to GGSG Hospital, Raghubir Nagar, New Delhi. The injured had been found unfit for statement and had remained unconscious. It is further alleged that *vide* MLC No. 80746/2022, the injured had been referred to Safdarjung Hospital, New Delhi, for further treatment. Thereafter, the statement of the injured had been recorded, on the basis of which the present case had been registered and investigation had been taken up by the I.O. Subsequently, on 23.12.2022, *vide* GD No. 08-A, information had been received from Safdarjung Hospital, New Delhi, that the injured, namely Prince @ Golu, had succumbed to his injuries. In view



of the said development, Section 304 of IPC had been added to the present FIR. It is alleged that thereafter, the statement of the complainant was recorded under Section 161 of the Code of Criminal Procedure, 1973 (hereafter '*Cr.P.C.*'), wherein he had alleged that on 22.12.2022, he along with the deceased Prince @ Golu and two other friends, namely Abhishek and Manpreet, had reached Keshav Pur Mandi in the wee hours in a TATA Ace vehicle. It was alleged that a minor scuffle had taken place between the deceased Prince @ Golu and the driver of the vehicle, namely Vinod Yadav (applicant in BAIL APPLN. 4943/2025), over the parking of their respective vehicles. It was further alleged that during the said altercation, Lallan Kumar (applicant in BAIL APPLN. 52/2026), a friend of Vinod Yadav, had arrived at the spot and had sustained injuries on his head. It is alleged that, enraged by the said incident, Lallan Kumar had called his two real brothers, namely Shravan Kumar (applicant in BAIL APPLN. 112/2026) and Sonu, along with other associates. Thereafter, all the accused persons had physically assaulted the complainant Sanju, the deceased Prince @ Golu, and their two friends Abhishek and Manpreet, with *lathis* and *dandas*, inflicting blows on their heads. It was alleged that when Sanju and Prince @ Golu had become unconscious, all the accused persons had fled from the spot. Thereafter, four accused persons had been arrested in the present case.

3. The learned counsel appearing for the applicants submits that two public witnesses, namely PW-3 and PW-4, who were projected as eye-witnesses, have completely turned hostile. It is further submitted that PW-1 and PW-2 have also not supported the prosecution case on several material aspects and have contradicted the prosecution version during their cross-examination. On the aforesaid grounds, it is prayed that the applicants be



granted regular bail.

4. The learned APP for the State fairly concedes that PW-3 and PW-4, who are public witnesses, have turned hostile and have not supported the prosecution case. However, it is submitted that PW-1 and PW-2 have supported the prosecution case and have duly identified the accused persons. Accordingly, it is prayed that the present bail applications be dismissed.

5. This Court has **heard** arguments addressed on behalf of the applicants as well as the State, and has perused the material on record.

6. In the present case, this Court notes that all the applicants have been in judicial custody for more than four years. Upon instructions from the Investigating Officer, the learned APP for the State submits that there is no previous involvement of the present applicants. It is also noted by this Court that all the public witnesses in the present case have already been examined.

7. It is also pertinent to note that two eye-witnesses, i.e. PW-3 and PW-4, have not supported the case of the prosecution either on facts or on the identity of the accused persons and have stated that they do not have any knowledge about the incident in question.

8. The learned counsel appearing for the applicants has also attempted to point out certain discrepancies and contradictions in the testimonies of PW-1 and PW-2. However, this Court is of the view that the same need not be examined at this stage. *Nevertheless*, the recording of the remaining evidence is likely to take some time to conclude.

9. Considering the overall facts and circumstances of the case, and for the reasons recorded hereinabove, this Court is inclined to grant regular bail to all the three applicants on their furnishing personal bond in the sum of Rs.20,000/- each with one surety each of the like amount to the satisfaction



of the Trial Court/Successor Court/Link Court/Duty Judge concerned on the following terms and conditions:

- i) The applicants shall not leave the country without prior permission of the concerned Court and if they have passports, they shall surrender the same to the concerned trial court.
 - ii) The applicants shall share their contact details (mobile numbers and residential address) with the IO/SHO and the Trial Court; and in case of any change in the said details, the applicants shall promptly inform the same to the concerned Court and the concerned IO/SHO.
 - iii) The applicants shall appear before the Trial Court on every date of hearing unless exempted;
 - iv) The applicants shall not indulge in any criminal activity;
 - v) The applicants shall not communicate with, or come into contact with the complainant or any of the prosecution witnesses, or tamper with the evidence of the case.
10. The bail applications are accordingly disposed of.
11. Nothing expressed hereinabove shall tantamount to an expression of opinion on the merits of the case.
12. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

FEBRUARY 11, 2026/A/TD



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

+ **BAIL APPLN. 4534/2025**

MOHD NAZIM

.....Petitioner

Through: Mr. Samarth Krishan Luthra, Adv
(DHCLSC) with Mr. Manoviraj
Singh, Adv.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Naresh Kumar Chahar, APP for
the State with SI Babita Kumari, PS
Aman Vihar

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

10.02.2026

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CRL.M.A. 35009/2025, 35010/2025, CRL.M.A. 35011/2025
(exemptions)

1. Allowed, subject to all just exceptions.
2. Applications stand disposed of.

CRL.M.(BAIL) 201/2026-Interim bail for 8 Weeks –for medical Treatment in Pvt. Hospital

3. By way of the present application, the applicant seeks grant of interim bail for a period of eight weeks in case arising out of FIR bearing No.303/2021, registered at Police Station Aman Vihar, Delhi for the commission of offences punishable under Sections 376/354C/354D/509/506/313 of the Indian Penal Code, 1860 ('IPC') and Section 6/12 of the



Protection of Children from Sexual Offences Act, 2012 (*POCSO Act*)
66D/67B of the Information Technology Act, 2000 (*IT Act*).

4. Issue notice. The learned APP accepts notice on behalf of the State.

5. The learned counsel appearing for the applicant submits that the applicant has been in judicial custody for about four years and six months. It is contended that the applicant is suffering from multiple serious medical ailments, including splenomegaly (enlarged spleen), jaundice and persistent fluctuation of haemoglobin levels since the year 2022. Owing to his deteriorating medical condition, the applicant was referred on several occasions to the outside OPDs of Deen Dayal Upadhyay Hospital and Safdarjung Hospital for specialised treatment. Upon medical examination, it was confirmed that the applicant is suffering from HbE Beta Thalassemia with splenomegaly and early chronic liver disease (CLD), which are stated to be serious and potentially life-threatening conditions. It is further submitted that the applicant was medically examined at Safdarjung Hospital on 05.06.2025 and 12.06.2025, wherein his blood reports revealed persistent anaemia (haemoglobin 9.8 g/dL) along with raised bilirubin levels (total bilirubin 6.1 mg% and direct bilirubin 4 mg%), as well as mildly deranged liver enzymes (SGOT/SGPT: 81/73). The applicant was advised medication along with a Gastroenterology consultation in view of his complaints of vague abdominal symptoms. It is argued that due to the non-availability of requisite specialised medical treatment within the jail premises, the health of the applicant has been deteriorating steadily. On these grounds, interim bail has been sought.

6. The Medical Status Report of the applicant has been received by this Court. The relevant contents thereof are reproduced as under:



“On 11.10.2025 inmate patient was sent to GB Pant Hospital, Gastroenterology as a follow up case of Hbe Beta Thalassemia with splenomegaly for his complaint of abdominal pain and Jaundice. He was examined and advised Ultrasound Whole Abdomen and the same was done on 29.12.2025 which revealed Grade-I fatty liver with Splenomegaly. His recent liver function test revealed high Billirubin level 5.1mg% dated 06.01.2026.

The Inmate/patient is diagnosed as Hbe Beta Thalassemia (Persistant low haemoglobin) with Splenomegaly (Enlarged Spleen) with early CLD (chronicliver disease). Indirect Hyperblllrublnemla (Jaundice) with portal Hypertension and Anaemia. The Inmate/patient complaints of pain abdomen and Is having low haemoglobin level and Increased Billirubin level (Jaundice). The Inmate patient Is on medications prescribed by Haemotologist of Safdarjung Hospital for Hbe Beta Thalassemia.”

7. This Court has perused the Medical Status Report dated 02.02.2026, prepared by the Senior Medical Officer, Central Jail Nos. 8/9, Tihar, which reveals that the applicant has been diagnosed with HbE Beta Thalassemia with persistent low haemoglobin levels, splenomegaly, early chronic liver disease, indirect hyperbilirubinemia (jaundice), portal hypertension and anaemia. It is further noted that the applicant continues to complain of abdominal pain, along with low haemoglobin levels and raised bilirubin levels, and is presently on medication as prescribed by the Haematologist of Safdarjung Hospital.

8. The learned APP appearing for the State does not dispute the fact that the prosecutrix has already been examined before the learned Trial Court.

9. Considering the overall facts and circumstances of the present case, including the period of custody undergone by the applicant, his serious and ongoing medical condition, and the fact that the prosecutrix has already been examined, this Court is inclined to grant interim bail to the applicant for a period of four (04) weeks, subject to the following conditions:

i) The applicant shall furnish a personal bond in the sum of



Rs.20,000/- with one surety of the like amount, to the satisfaction of learned Trial Court/Successor Court.

- ii) The applicant shall surrender his passport, and will not leave the country without the prior permission of the learned Trial Court.
- iii) The applicant shall inform his residential address in case of change of residential address and mobile number to the learned Trial Court as well as to the IO, and in case of change of same, he shall inform the updated details to the learned Trial Court by way of an affidavit.
- iv) The applicant shall not indulge in any criminal activity during the period of interim bail.
- v) At the time of expiry of interim bail, the applicant will surrender before the concerned Jail Authority and also file the documents of his medical treatment that he has undergone during the said period of 04 weeks.
- vi) The period of one month shall be counted from the date of release of the applicant.

10. Accordingly, the present bail application stands disposed of.

BAIL APPLN. 4534/2025

11. List on 24.04.2026.

12. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

FEBRUARY 10, 2026/rr



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

+ **BAIL APPLN. 4961/2025**

ROHIT RAJ @ GOLU @RANDAPetitioner

Through: **Mr. Chirag Khurana, Adv.**

versus

STATE GOVT. OF NCT OF DELHIRespondent

Through: **Mr. Naresh Kumar Chahar, APP for
the State**

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

10.02.2026

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1. By way of the present application, the applicant seeks grant of regular bail in case arising out of FIR bearing no. 20/2023, registered at Police Station Mandir Marg, Delhi for the commission of offence punishable under Sections 394/397/75 of the Indian Penal Code, 1860 (hereafter '*IPC*').
2. Brief facts of the case are that on 21.01.2023, an information was received at PS Mandir Marg through a PCR call *vide* GD No. 64A to the effect that a person, who was allegedly showing a knife to the victim, had been caught red-handed. Upon receipt of the said information, police officials had reached the spot. At the spot, the victim-complainant Harsh Yadav, along with his wife Nikita Yadav, was present. The complainant disclosed that while he and his wife were travelling in their car, the tyre of the car had got punctured. He had thereafter stopped the car near Mandir Marg I-Point, Panchkuian Road, near the red light, and had started changing the tyre. It was further alleged that during that time, an unknown person had



approached them and had shown a knife with the intention to rob them. The said person had demanded their valuables and, in the course thereof, had scuffled with the complainant. The complainant had raised an alarm, and upon hearing the same, police personnel deployed for traffic duty nearby had rushed to the spot and had apprehended the accused red-handed along with the knife. On the statement of the complainant, the present FIR came to be registered. The knife in question was seized from the spot. During the course of investigation, statements of the eyewitnesses had been recorded and, upon completion of the investigation, charge-sheet for offence under Sections 394/397/75 of the IPC had been filed before the Court.

3. The learned counsel appearing for the applicant/accused argues that the applicant has been in judicial custody for about three years and the trial will take some time to conclude. It is contended that prior involvement of the applicant in similar cases cannot be a sole ground to deny him bail in the present case. It is also argued that material witnesses have already been examined, and that the basic ingredients of robbery are not made out, if the case of prosecution is read in entirety. Thus, it is prayed that the applicant be granted regular bail.

4. The learned APP for the State, on the other hand, argues that allegations against the applicant are serious in nature, and he is the Bad Character (BC) of the P.S. Paharganj. It is further stated that he has been intimidating the public persons in the present case, and is involved in several cases of similar nature, and has also been convicted in one such case. It is argued that the maximum punishment for offence under Section 394 of IPC is imprisonment for life. It is thus prayed that the bail application be dismissed.



5. This Court has **heard** arguments addressed by the learned counsel appearing for the applicant as well as the learned APP for the State, and has perused the material on record.
6. In the present case, this Court, having gone through the case file, is of the considered opinion that all the material prosecution witnesses, including the complainant and his wife, as well as the traffic police constable who was present at the spot, have supported the prosecution case on all material aspects during their examination before the learned Trial Court. It is noteworthy that the present accused was not only duly identified in Court, but had also been apprehended at the spot itself by the traffic police personnel.
7. The record further reveals that the complainant had sustained injuries at the hands of the applicant herein while the offence of robbery was being attempted. The applicant stands convicted in a case arising out of FIR No. 55/2018, for offences under Sections 457/380 of IPC, registered at P.S. Paharganj, and is also involved in two other cases of similar nature, namely FIR No. 173/2021, under Sections 379/411 of IPC, registered at P.S. Mandir Marg, and FIR No. 113/2021, under Sections 356/411/379 of IPC, registered at P.S. Daryaganj, apart from the present case.
8. Considering the overall facts and circumstances of the case, this Court is not inclined to enlarge the applicant on bail at this stage.
9. However, the learned Trial Court is requested to expedite the recording of evidence in the present case.
10. Accordingly, the present bail application stands dismissed.
11. Nothing expressed hereinabove shall tantamount to an expression of opinion on the merits of the case.



12. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J
FEBRUARY 10, 2026/A/TD



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

+ **BAIL APPLN. 1905/2025**

VINOD

.....Petitioner

Through: Mr. Bipin Kumar Jha and Ms. Komal Jha, Advs.

versus

STATE (GOVT. OF NCT DELHI)

.....Respondent

Through: Mr. Manoj Pant, APP for the State with Insp. Mukesh Rana, PS Krishna Nagar
Mr. Divyang Kishwan, Adv.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

10.02.2026

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1. By way of the present application, the applicant seeks grant of regular bail in case arising out of FIR bearing no. 839/2015, registered at police Station Krishna Nagar, Delhi, for commission of offences punishable under Sections 302/392/394/397/411/468/471/482/120B/34 of the Indian Penal Code, 1860 (hereinafter 'IPC') and 25/27/54/59 Arms Act.

2. The brief facts of the case are that on 17.11.2015, a PCR call *vide* DD No. 24-A regarding a robbery involving gunfire was received, pursuant to which the Investigating Officer had reached the spot of incident. Upon inspection of the scene of crime, one empty cartridge, two live cartridges, one fired bullet, and one scooter had been found lying at the spot. Thereafter, the I.O. had proceeded to the hospital where the complainant had been taken and had recorded his statement. In his statement, the complainant



stated that he had been working as a salesman and cash collector at Jagsons Cables for the past one month. He further stated that on 17.11.2015, at about 4:15 PM, he had gone to Honey Garments for collection of payment, from where he had received a sum of ₹6,00,000/-. The complainant had kept the said amount in a bag and had left for his office on his scooter bearing registration number DL-7SAF-8747. At about 5:30 PM, when he had reached in front of D-4, Krishna Nagar, near Chhachi Building Chowk, three unknown persons had arrived on a black Pulsar motorcycle and had forcibly stopped his scooter on the left side of the street. It was alleged that two of the said persons had approached him, and one of them had attempted to snatch his bag. When the complainant had resisted, one of the assailants had fired a gunshot, after which the bag had been forcibly robbed. Thereafter, all three accused persons had fled from the spot on the same motorcycle. On the basis of the statement of the complainant, the present FIR had been registered and investigation had been taken up accordingly. On 21.11.2015, the complainant had succumbed to his injuries.

3. During investigation, upon perusal of the CCTV footage, co-accused Shawej @ Sheru had been identified and had subsequently been arrested on 20.11.2015. During interrogation, he had disclosed that the plan for committing the robbery had been hatched by him along with co-accused Naushad. Thereafter, co-accused Naushad had been arrested, who had further disclosed that the robbery had been committed pursuant to a criminal conspiracy involving co-accused Nasir, Lokesh, and the present applicant/accused Vinod. It was further disclosed that co-accused Naushad had stolen the motorcycle used in the commission of the offence, while the present applicant/accused had arranged a country-made pistol. In furtherance



of the said conspiracy, co-accused Naushad, Lokesh, and the applicant/accused had proceeded to the spot on the motorcycle. Co-accused Lokesh and the applicant/accused had forcibly stopped the scooter of the complainant/deceased and had attempted to snatch the bag containing money. When the complainant had resisted, the applicant herein had allegedly fired at the complainant/deceased, had taken away the bag containing cash, and had fled from the spot along with the co-accused persons. Acting on secret information, the present applicant/accused Vinod and co-accused Nasir had subsequently been arrested on 26.11.2015.

4. The learned counsel appearing for the applicant/accused argues that the applicant was arrested on 26.11.2015 and has remained in judicial custody for more than ten years. It is further argued that the co-accused Shawvej @ Sheru and Nasir have already been enlarged on bail *vide* orders dated 29.11.2016 and 11.01.2017, respectively. The learned counsel further draws attention to the testimony of PW-17, who, during cross-examination, admitted that the faces of the assailants are not clearly visible in the CCTV footage, as they are wearing helmets. It is additionally argued that, out of a total of 47 witnesses cited by the prosecution, only 29 witnesses have been examined so far, and the trial is likely to take a considerable period to conclude. It is further argued that the applicant/accused has been implicated in 14 cases, out of which 11 cases are reported as untraced, he has been acquitted in one case, and only two cases are presently pending. On these grounds, it is prayed that the applicant/accused be enlarged on bail.

5. *Per contra*, the learned APP for the State vehemently opposes the present bail application, contending that the offence in question is serious



and grave in nature. It is argued that the applicant, in conspiracy with the co-accused persons, had planned the robbery and that his specific role was to arrange a country-made pistol, which he initially used to threaten the deceased. However, he not only threatened the deceased but also fired at him, which ultimately resulted in the death of the victim. It is further argued that the country-made pistol was recovered from the possession of the applicant, along with a sum of ₹1,21,000/- in cash, being part of the looted amount. It is also stated that the FSL ballistic report also supports the case of prosecution. It is further contended that the CCTV footage also establishes the presence of the applicant at the spot at the time of the incident. On these grounds, it is prayed that the applicant/accused be not enlarged on bail.

6. This Court has **heard** arguments addressed by the learned counsel for the applicant/accused and the learned APP for the State, and has perused the material on record.

7. The role attributed to the present applicant/accused is that, in furtherance of a criminal conspiracy with the other co-accused persons, he had participated in the planning of the robbery and, pursuant thereto, was present at the spot at the time of the incident. It is alleged that he had fired at the complainant, while forcibly snatching a bag containing money, as a result of which the complainant had sustained fatal injuries and subsequently succumbed.

8. It is pertinent to note that the presence of the present applicant at the spot is *prima facie* corroborated by the CCTV footage, which shows him on a motorcycle along with the other co-accused persons, and he was wearing a helmet at the time of the incident.



9. It is further material to note that a country-made pistol, along with the looted amount of ₹1,21,000/- in cash, was recovered from the residence of the present accused/applicant. Further, the said country-made pistol was sent for examination to the FSL, and the ballistic report revealed that the empty cartridge recovered from the crime scene was found to have been fired from the same country-made pistol. The ballistic report mentions as under:

“6. The individual characteristics of breech face marks present on evidence cartridge case marked exhibit 'EC1' and on test fired cartridge cases marked as 'TC1' & 'TC2' were examined and compared under the Comparison Microscope model Leica DMC and were found identical. Hence, the evidence cartridge case marked exhibit 'EC1' has been fired through the assembled improvised pistol 7.65mm caliber marked exhibit 'F1' above.

7. The individual characteristics of rifling marks present on evidence bullets marked exhibits 'EB1' & 'EB2' and on the test fired bullets marked as 'TB1' & 'TB2' were examined and compared under the Comparison Microscope model Leica DMC and were found identical. Hence, the evidence bullets marked exhibits 'EB1' & 'EB2' have been discharged through the assembled improvised pistol 7.65mm caliber marked exhibit 'F1' above.”

10. As regards the argument that co-accused Shawvej @ Sheru and Nasir have already been enlarged on bail *vide* orders dated 29.11.2016 and 11.01.2017 respectively, this Court is of the view that the role attributed to the present applicant is materially distinct from that of the other co-accused persons, inasmuch as he is alleged to have fired the fatal shot at the deceased during the commission of the robbery.

11. This Court also notes that as per the Nominal Roll, the applicant herein has been previously involved in ten criminal cases, out of which he has been discharged in one case and acquitted in another, while the remaining eight cases registered in Ghaziabad, Uttar Pradesh, are still pending against him. Further, as per Status Report, the applicant has been



involved in 14 cases of similar nature in Delhi.

12. The Hon'ble Supreme Court in *X v. State of Rajasthan: 2024 SCC OnLine SC 3539* has categorically held that in cases involving heinous and grave offences, the Courts must exercise extreme caution while considering bail applications once the prosecution starts recording its evidence. The relevant observations of the Supreme Court are reproduced hereinbelow.

“14. Ordinarily in serious offences like rape, murder, dacoity, etc., once the trial commences and the prosecution starts examining its witnesses, the Court be it the Trial Court or the High Court should be loath in entertaining the bail application of the accused.”

13. Considering the overall facts and circumstances of the present case and that the ballistic report has confirmed that the empty cartridge found on the spot of the commission of the offence, this court is not inclined to grant regular bail to the applicant/accused.

14. Accordingly, the present application is dismissed.

15. It is clarified that nothing expressed hereinabove shall tantamount to an expression of opinion on merits of the case.

16. However, the learned Trial Court is requested to expedite the recording of evidence in the present case, and endeavour to conclude the trial within a period of six (06) months from the date of receipt of this order.

17. Copy of this order be forwarded to the concerned Trial Court *forthwith* for necessary information and compliance.

18. The order be uploaded on the website *forthwith*.

DR. SWARANA KANTA SHARMA, J

FEBRUARY 10, 2026/RB/TD



This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 12/02/2026 at 12:23:47



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

+ **BAIL APPLN. 561/2026**

ANIL MAHTO

.....Petitioner

Through: Mr. Jatan Singh, Sr. Advocate with
Mr. Yogesh Swaroop & Mr. Jashank
Shrivastava, Advocates.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Manoj Pant, APP for State along
with SI Ashok Kumar, PS: Sarojini
Nagar, Delhi.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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10.02.2026

CRL.M.A. 4204/2026. (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

BAIL APPLN. 561/2026

3. By way of the present application, the applicant is seeking grant of anticipatory bail in case arising out of FIR bearing no. 163/2025, registered at Police Station Sarojini Nagar, Delhi, for the commission of offence punishable under Sections 21/22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereafter '*NDPS Act*').
4. Issue notice. The learned APP accepts notice on behalf of the State.
5. Brief facts of the present case are that on 03.05.2025, at about 03:45



a.m., during the routine night checking being conducted, one Wagon-R car was intercepted for checking. The said vehicle was being driven by co-accused Subodh Kumar. Upon conducting a search of the vehicle, a blue cigarette box was found concealed therein, containing 68 tablets of a suspected psychotropic substance. On weighing, the total weight of the recovered tablets was found to be about 26 grams. A mobile FSL Team was called at the spot for preliminary investigation and upon being tested at the spot, the tablets were found positive for MDMA.

6. During interrogation, the co-accused Subodh disclosed that the vehicle used in the commission of the offence was owned by his brother-in-law, i.e., the present applicant Anil Mahto. He further disclosed that one James, a Nigerian national, was the main supplier of MDMA tablets. The co-accused Subodh also disclosed that the applicant Anil Mahto used to manage and coordinate the delivery of narcotic substances, while he used to deliver the narcotic substances on his instructions, for which he was being paid about ₹20,000/- per month. He further disclosed that a female courier, referred to as “Baby”, used to hand over the tablets, often concealed in cigarette boxes.

7. The learned senior counsel appearing on behalf of the applicant Anil Mahto argues that the present applicant is the brother-in-law of the main accused, from whom the recovery was affected. He argues that except for the disclosure statement of the main accused, there is nothing incriminating on record against the applicant. It is also stated that he is ready to hand over his mobile phone in case the same is required for the purpose of retrieving any evidence regarding the connectivity of the accused persons. On these grounds, it is prayed that the applicant/accused be granted anticipatory bail.



8. The learned APP for the State, on the other hand, contends that the allegations against the present applicant/accused are serious in nature and his custodial interrogation is necessary for tracing and apprehending the absconding co-accused persons, as well as for establishing the complete chain of supply and delivery of narcotic and psychotropic substances. It is further argued that the offence pertains to the recovery of a commercial quantity of psychotropic substance. It is stated that during investigation, repeated visits were conducted at the house of applicant, however, he has been evading arrest. In view of the aforesaid facts and circumstances, it is prayed that the present application seeking anticipatory bail be dismissed.

9. This Court has **heard** arguments addressed on behalf of the applicant as well as the State, and has gone through the material placed on record.

10. In the present case, it is to be noted that the co-accused Subodh was apprehended at the spot, being found in possession of 68 tablets of MDMA, weighing 26 grams, which falls within the limits of commercial quantity.

11. This Court notes that the co-accused Subodh had disclosed that he had come into contact with two persons, namely James and Baby, who are alleged to be the supplier and courier of the narcotic and psychotropic substances, through the present applicant/accused. Both the said accused persons are presently absconding and are yet to be apprehended. It was further revealed during investigation that Subodh used to procure the narcotic and psychotropic substances from them, and deliver the same at different locations, on instructions of the applicant herein, for which Subodh was paid a sum of ₹20,000 per month.

12. It is pertinent to note that the vehicle in which the co-accused Subodh was apprehended, along with the psychotropic substance, is registered in the



name of the present applicant/accused.

13. It is also pertinent to note that, upon analysis of the CDR of the co-accused Subodh and the present applicant/accused, it was revealed that the applicant was in constant communication with the co-accused Subodh, prior to his arrest, as he was purportedly proceeding to deliver the psychotropic substance. Specifically, the call connectivity is reflected from 02.05.2025 at 7:51 p.m. to 03.05.2025 at 3:22 a.m., and notably, the co-accused was apprehended at 3:45 a.m. on 03.05.2025.

14. The Hon'ble Supreme Court in several decisions, including *State of Haryana vs. Samarth Kumar*: 2022 SCC OnLine SC 2087 and *Anarul S. K. vs. State of West Bengal*: SLP(Crl.) 12621/2021, has held that anticipatory bail is ordinarily not to be granted in cases under NDPS Act.

15. Considering the overall facts and circumstances of the present case, particularly the recovery of a commercial quantity of MDMA tablets from the vehicle belonging to the present applicant, the *prima facie* role attributed to the applicant/accused as the principal mastermind of the syndicate, the CDR analysis, and the fact that other co-accused persons are yet to be apprehended, this Court is of the considered view that custodial interrogation of the applicant/accused is necessary for further investigation.

16. Accordingly, this Court is *not inclined to grant anticipatory bail* to the applicant/accused. The bail application is dismissed.

17. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J
FEBRUARY 10, 2026/vc/RB/GJ