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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 4957/2025 & CRL.M.A. 38236/2025

SURAJ JHA ALIAS SURAJ KUMAR

...Applicant

Through: Mr. Rahul Kumar Singh, Mr. M.K. Gupta and Mr. Shailendra Kumar Singh, Advocates.

versus

STATE OF NCT OF DELHI

...Respondent

Through: Mr. Raghuinder Verma, APP for the State with Ms. Upasna Bakshi Ms. Divya Bakshi, Mr. Aditya Vikram Singh and Mr. Gourav Singh, Advocates with SI Shubham, PS: Gandhi
Mr. Amir Khan, Mohd. Saif, Mr. Abbula Kalam and Mr. Chaudhary Aamir, Advocates for Complainant

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

20.04.2026

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1. By virtue of the present application, under *Section 483* of the Bharatiya Nagarik Suraksha Sanhita, 2023 (**BNSS**) the applicant seeks grant of regular bail in proceedings arising out of FIR No.313/2025 dated 03.07.2025 registered at PS: Gandhi Nagar under *Section 109(1)* of the Bharatiya Nyaya Sanhita, 2023 (**BNS**).

2. *Succinctly put*, as per prosecution, an FIR was registered at the instance of the complainant who was attacked by the applicant at Gali No.20, Ajeet Nagar on 02.07.2025 at about 09:00 PM as he was returning home. As per FIR the applicant, who the complainant knew since before, came up from behind, stabbed him in the back of his neck with a sharp-



edged weapon with the intention to kill him, and then fled from the spot. As a result of the injury, the complainant started bleeding and had to be rushed to LNJP Hospital and undergo treatment. The applicant was accordingly arrested on 03.07.2025. The chargesheet has since been filed, and charges have also been framed against the applicant.

3. In these facts, learned counsel for the applicant prays for the applicant's release on regular bail on the ground that he is a law-abiding citizen who has been falsely implicated in the present case, and, in fact, the entire case is highly unbelievable since as per the FIR itself, the applicant allegedly attacked the complainant from behind, and so, the complainant could not have known the intention of the applicant. He further submits that the MLC has contradictions, as also proper medical opinion has not been obtained with the discharge summary. Lastly, the applicant has not been convicted in any prior alleged offence(s), as also he has been previously released on bail.

4. *Per contra*, learned APP for State opposes grant of bail to the applicant since the applicant has been specifically named in the FIR, which discloses grave and serious offences, and since the weapon of attack has also been recovered at his instance, there is a strong *prima facie* case against him. He further submits that on the very same night of the present offence, the applicant also injured one more person, in connection whereunto FIR No.312/2025 under *Section 118(1)* BNS has been registered at PS: Gandhi Nagar. He also draws the attention of this Court to the previous involvement of the applicant in another FIR No.76/2023 under *Sections 391/397/506/411/34* of the Indian Penal Code, 1860 to submit that the applicant is a habitual offender in serious offences like the present



one, and there is every likelihood of his engaging in further offences if released on bail.

5. Learned counsel for the complainant, in support of the State, also submits that the present application ought to be rejected, particularly considering the antecedents of the applicant, as also the nature of the injury inflicted by him upon the complainant. He further submits that the complainant is a man of humble means doing a tailoring job on a daily basis and because of his fear for his life, he has been unable to resume his work. In these circumstances, if the applicant is released on bail, it is highly probable that he will again attack/ threaten the complainant as also the other witnesses and tampering with the evidence.

6. Heard.

7. The reliance upon the details of the MLC as also the circumstances surrounding the alleged offence by learned counsel for the applicant being matters of trial, cannot be determined at the stage of considering the present application. In view of the specific allegations in the FIR as also the recovery of the weapon, the prosecution has been able to show a *prima facie* case of a heinous nature. Moreover, record also reveals that the present FIR has been registered against the applicant when he was out on bail for a previous offence. The Nominal Roll received also reflects that the conduct of the applicant has been such that he has been involved in attacking another inmate within the span of hours of the present offence.

8. All this casts a shadow of doubt upon this Court releasing the applicant by granting him regular bail, particularly, since there is every likelihood of his engaging in further offences, as also a strong



apprehension of his intimidating witnesses and/ or tampering with the evidence.

9. In view of the aforesaid, the present application is dismissed.

10. Needless to say, expression of view(s) on the merits involved, if any, are solely for the purposes of adjudication of the present bail application and shall have no bearing on the overall case/ trial involved.

SAURABH BANERJEE, J

APRIL 20, 2026/So