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

+ **BAIL APPLN. 253/2026**

YOGESH PRATAP SINGH ALIAS MAKRIPetitioner

Through: Mr. Piyush Sachdev and Ms. Shweta
Roy, Mr. Raja chatterjee, Advs.

versus

STATE OF NCT OF DELHIRespondent

Through: Mr. Manoj Pant, APP for State.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

24.03.2026

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1. By way of the present application, the applicant seeks grant of regular bail in FIR bearing No.91/2019, registered at Police Station Mandir Marg, Delhi for the commission of offences punishable under Sections 365/302/34 of the Indian Penal Code, 1860 (hereafter 'IPC').
2. Briefly stated, the facts of the present case, as per the prosecution, are that the case pertains to the abduction and subsequent murder of one Vikash. It is alleged that the deceased was forcibly taken away by the accused persons, including the present applicant, and was later found dead in a jungle area near Talkatora Circle. The incident was initially reported vide a PCR call dated 07.09.2019, following which investigation was undertaken and several individuals were apprehended on the basis of statements of the witness and disclosure statements made during investigation. During the course of investigation, the present applicant/accused, Yogesh Pratap Singh



@ Makri, was arrested on 11.09.2019. It is also alleged that the dead body of the deceased was recovered at the instance of the present applicant and co-accused persons, thereby forming a material circumstance against him.

3. The learned counsel appearing for the applicant argues that the applicant has been falsely implicated in the present case and that there is no evidence to establish his presence or involvement in the alleged offence. It is further contended that the applicant is only about 27 years of age, having no previous criminal antecedents, and has been in judicial custody for more than six years. It is further argued that, although four witnesses have been examined till date, the material eye-witnesses are yet to be examined and have, in fact, been dropped from the list of witnesses on account of being untraceable, *vide* order dated 11.02.2026 passed by the learned Trial Court. On these grounds, it is prayed that the applicant be enlarged on regular bail.

4. The learned APP for the State has opposed the present bail application and argues that the allegations against the applicant are serious in nature. It is also argued that the CCTV footage clearly shows that the accused persons were taking the deceased along with them to the place of commission of offence, the dead body of the deceased was recovered at the instance of the accused/applicant. It is also argued that the judicial TIP was conducted wherein the eye witnesses identified the accused/applicant to be the same person who had committed the murder of the deceased in the present case. It is thus prayed that the present bail application be dismissed.

5. This Court has **heard** arguments addressed on behalf of the applicant as well as on behalf of the State, and has perused the case file.

6. After hearing arguments addressed on behalf of both the parties and going through the case file, this Court is of the opinion that there are two eye



witnesses cited by the prosecution in the present case, who had allegedly identified the present accused/applicant when judicial TIP was conducted. However, the learned counsel for the applicant has placed on record an order dated 11.02.2026, passed by the learned Trial Court *vide* which the two alleged eye witnesses have been dropped from the list of witnesses since they are not traceable and the only evidence at this stage, against the present accused/applicant is that he was last seen in a CCTV footage.

7. Considering the overall facts and circumstances of the present case, including the period of custody already undergone by the applicant i.e. 06 years and 06 months, the absence of any previous criminal antecedents, and the fact that the trial is likely to take considerable time to conclude since only four witnesses have been examined so far, this Court is inclined to grant regular bail to the applicant on his furnishing personal bond in the sum of Rs.15,000/- with one surety 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 applicant shall not leave the country without prior permission of the concerned Court and if he has passport, he shall surrender the same to the concerned trial court.
- ii) The applicant shall share his 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 applicant shall promptly inform the same to the concerned Court and the concerned IO/SHO.
- iii) The applicant shall appear before the Trial Court on every date of hearing unless exempted;



- iv) The applicant shall not indulge in any criminal activity;
 - v) The applicant 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.
8. The bail application is accordingly disposed of.
9. Nothing expressed hereinabove shall tantamount to an expression of opinion on the merits of the case.
10. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

MARCH 24, 2026/vc/GJ