

IA No. 27/2025  
SC No. 28374/2016  
State Vs. Sunil @ Kesto & Ors.  
FIR No. 491/2015  
PS: Subzi Mandi  
U/s: 307/34 IPC & 25/27/59 Arms Act.

29.07.2025

**This is an application under Sec. 483 BNSS filed on behalf of applicant/accused namely Sunny @ Rakesh for grant of interim bail.**

Present : Sh. Pankaj Kumar Ranga, Ld. Addl. PP for the State.  
Ms. Anshu Priyanka, Ld. Counsel for applicant/  
accused (through VC).  
IO/SI Vibhu Sharma in person.

**Ld. Counsel for accused/applicant submits that no bail application is pending before the Hon'ble High Court of Delhi and Hon'ble Supreme Court of India.**

Reply to the bail application as well as nominal roll of accused/applicant have been filed by IO and on behalf of Jail Superintendent respectively.

Ld. Counsel for the accused/applicant submits that the wife of the accused/applicant has delivered a child this month only. She further submits that the wife of accused/applicant is living alone and there is no one in the family to take care of his wife and newly born child. She further submits that the wife of accused/applicant is suffering from hypertension. She further submits that accused/applicant may be granted interim bail on humanitarian ground so that he can make proper arrangement for taking care of his wife and child. She further submits that

accused/applicant is ready to abide all the conditions, if he is granted interim bail.

Per contra, Ld. Addl PP for the State submits that accused/applicant is involved in more than 45 other cases and the present case pertains attempt to murder of a witness who was a prosecution witness against the accused/applicant in a double murder case. He submits that accused/applicant has also been convicted in case FIR No. 189/2007 PS Prashant Vihar and FIR No. 1084/2006, PS Ashok Vihar. He further submits that the conduct of accused/applicant is not proper in the jail and he has been awarded several punishments. He further submits that in the year 2024, accused/applicant was granted interim bail by the Hon'ble High Court of Delhi for the purpose of taking care of his father, who had to undergo a surgery, the accused/applicant absconded and was arrested after a period of about nine months due to which trial was delayed. He further submits that if accused/applicant is granted bail, he may again abscond. He further submits that keeping in view the gravity of offence, involvement of accused/applicant in other cases and his previous conduct, the present bail application of the accused/applicant should be dismissed.

I have heard the submissions and perused the record.

The accused/applicant is involved in more than 45 cases. The present case pertains to attempt of murder of a person who was prosecution witness in a double murder case. Accused/applicant has also been convicted in two cases as per the nominal roll. As per nominal roll, the overall conduct of

accused/applicant has found to be unsatisfactory and he has been awarded punishments for the same. Vide order dated 27.02.2024, Hon'ble High Court of Delhi was pleased to grant interim bail to the accused/applicant for the purpose of surgery of his father but the accused/applicant absconded and did not surrender before the Jail Authorities and he was arrested after a period of nine months due to which trial in the present case was delayed. Keeping in view of the previous conduct of accused/applicant in which he violated the bail conditions and absconded, this court is of considered opinion that if the accused/applicant is granted interim bail, he may again absconded.

In view of the previous involvement of accused/applicant in several cases, his conviction in some cases, gravity of the offence and the fact that accused/applicant absconded during the interim bail period, I do not find any merit in the present application for grant of interim bail.

**Accordingly, present application filed under Sec. 483 BNSS for grant of interim bail is hereby dismissed.**

The observations made herein shall not have any effect on the merit of case.

The bail application stands disposed off accordingly.

Copy of this order be given Dasti to all concerned.

(Virender Kumar Kharta)  
ASJ/FTC-02(CENTRAL)  
TIS HAZARI COURTS:DELHI :29.07.2025