

Regular Bail Application
State Vs. Rahul @ Sameer S/o Raj Kumar
FIR No.56/19, PS NDRS
U/s 307/324/506/174A IPC & 35(1)(D) BNS, 2023

02.05.2025

This is an application U/s 480 of BNSS, 2023 seeking grant of regular bail to the applicant/ accused Rahul @ Sameer.

Present: Sh. K.D. Pachauri, Ld. Addl. PP for State.
Sh. R.K. Ttiwari and Ms. Santosh Sharma, counsels
for applicant/ accused.
IO ASI Manoj Kumar in person.

1. Reply has been filed by IO. Copy given.
2. Arguments heard on the bail application of the accused/ applicant **Rahul @ Sameer** Under Section 480 BNSS, 2023 seeking grant of regular bail. I have also perused the record.
3. Ld. Counsel for applicant/ accused submits that the applicant/ accused was arrested in the present case on 15.12.2024 and further that the first regular bail application of the applicant/ accused was dismissed as withdrawn on 13.01.2025. Ld. counsel further submits that the applicant/ accused is the sole bread earner of his family and further that the applicant/ accused is not a previous convict and there is no previous criminal history. Ld. counsel further submits that the applicant/ accused was initially declared P.O. as he did not appear in the Court when he was granted interim bail. Ld. counsel further submits that later, he was arrested on 15.12.2024 and since then he is in JC. Ld. counsel further submits that the applicant/ accused was engaged on 05.12.2024 and his marriage was fixed for 5th February, 2025, however, due to his arrest, his marriage got cancelled and

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therefore, he has suffered socially. Ld. counsel further submits that due to on going custody of the applicant/ accused, his sister is also suffering in her in-laws. Ld. counsel prays for grant of regular bail to the applicant/ accused.

4. Ld. Addl. PP for the State opposes the bail application of the applicant/ accused on the basis of the reply of the IO and submits that the applicant/ accused was absconding and he has already been declared P.O. in the present case. Ld. Addl. PP prays for dismissal of the bail application of the applicant/ accused.

5. As per the case of the prosecution, victim Pritam Singh made a statement to the police that he had retired from Railway Department in the year 2017 and Railway Department deputed him as Ticket Facilitator at New Delhi Railway Station. On 03.05.2019, one boy namely Rahul (i.e. applicant/ accused) came and asked the victim to stop the work of issuing ticket and left from there. Applicant/ accused also threatened to kill the victim. On 24.05.2019 at about 6 PM, applicant/ accused came at the railway station and hit on the neck of the victim from right side with a knife like surgical blade from behind. Victim received injuries and blood was oozing out. Victim apprehended the applicant/ accused at the spot and handed over him to the police. Knife was recovered from the possession of the applicant/ accused. Present case was registered and applicant/ accused has been arrested in the present case.

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6. Applicant/ accused is in judicial custody since 15.12.2024. He is a young boy of about 22 years of age. No further custodial interrogation of the applicant/ accused seems to be required in the present case. No fruitful purpose would be served by keeping him behind bars. In the overall facts and circumstances of the case, bail application of the applicant/ accused is allowed and applicant/ accused **Rahul @ Sameer S/o Raj Kumar** is admitted to bail on furnishing personal bond in the sum of Rs. 25,000/- with one surety in the like amount and subject to condition that :-

- (i) That applicant/ accused shall not, directly or indirectly, make any inducement, threat or promise to the complainant or any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (ii) That applicant/ accused shall upon his release provide his mobile number to the IO/ SHO and keep his such mobile 'Switch On' at all times.
- (iii) That applicant/ accused shall intimate to the IO/ SHO about any change in his mobile number or address;
- (iv) The applicant/ accused will not influence the witnesses nor tamper with any evidence;
- (v) That applicant/ accused shall not leave the country without permission of the Court;

7. Application stands **disposed of** accordingly.

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8. The observations made on the merits of the case are purely for the purposes of deciding the present bail application and shall not be construed as expression upon the merits of the case.

9. Copy of the order be given dasti to the IO as well as to the Ld. Counsel for applicant/ accused and be communicated to the applicant/ accused through Jail Superintendent for information.

(PRANJAL ANEJA)
Special Judge, NDPS-02,
Central, THC, Delhi/02.05.2025(kk)