

SC No. 33/2026
STATE Vs. Imran @ Kala
FIR No. 704/2025
PS New Usmanpur

08.05.2026

Present: Sh. Abhishek Pandey, Ld. Addl. PP for the State.
Ld. counsel for the applicant/accused.

1. This is the bail application filed on behalf of the accused Imran @ Kala.
2. It is submitted by Ld. counsel for applicant that there is no CCTV or CDR to show presence of accused at spot. There is no independent witness despite the fact that incident allegedly happened on busy road in the afternoon. There is no DD entry of the special staff who went to the spot. Pistol is recovered at the instance of applicant but there is no public witness to the recovery nor his finger prints were lifted from the pistol.
3. On the other hand, bail is opposed by Ld. Addl. PP whereby submitting that he is involved in two more cases.
4. I have heard both the sides and gone through the record.
5. The present is a case where police officials had prior knowledge that accused would come at a particular place, accused was wanted in a dacoity case at PS New Usmanpur in FIR No. 665/2025. Police officials formed a raiding party and went at the spot. Allegedly, accused fired at the police officials and in order to

Cond....

save themselves, police fired at accused. Accused suffered injury on leg with bullet but police officials managed to save themselves. Hence a separate FIR was received i.e. 704/2025, PS New Usmapur u/s 221/132/109(1) BNS & 106 BNSS.

6. Ld. counsel has filed copy of order on charge in FIR No. 665/2025 wherein he is discharged for offence of dacoity and charge under lesser offence has been framed.

7. The incident happened on a busy road but it is alleged that there was no CCTV at the spot. However, police did not obtain CCTV of any nearby road or place where accused could be seen going towards the spot. There is no public witness to the recovery. There is no CDR to show presence of accused at the spot. The only witnesses are police officials and hence possibility of threatening the witnesses does not arise. Charge sheet is already filed.

8. In the overall circumstances of the case where the only evidence against accused is oral testimony of police witnesses and that charge sheet is already filed, the application is **allowed**. Applicant is admitted to bail on furnishing of personal bond and surety bond of Rs. 25,000/- to the satisfaction of concerned Court/JMFC/Link JMFC/Duty JMFC and subject to the following conditions of bail:.

- (i) The applicant shall under no circumstances leave India without prior permission of the Court concerned.

Cond....

- (ii) The applicant shall appear before the Court concerned as and when required.
 - (iii) The applicant shall not tamper with the evidence during the trial.
 - (iv) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case.
 - (v) The applicant shall provide his mobile number(s) and keep it operational at all times.
 - (vi) In case of change of residential address and/or mobile number, the same shall be intimated to the Court concerned by way of an affidavit.
8. Accordingly, in the aforesaid terms and conditions, the present application stands disposed off. Nothing mentioned herein shall affect the merits of the case.
9. Copy of this order be given dasti.

(Twinkle Wadhwa)
ASJ-02(NE)/ KKD/Delhi
08.05.2026/nk