

2 BAIL MATTERS 611/2026
THE STATE Vs. RAJENDRA KUMAR
FIR No. 0078/2026
(Sonia Vihar)

02.07.2026

Present: Sh. Ghanshyam, Ld. Substitute Addl. PP for the State.
Sh. Kuldeep Sangwan, Ld. Counsel for the
applicant/accused.
IO/SI Sarkar Abbas is present.

This is an application filed on behalf of applicant/accused Rajendra Kumar u/s 483 of BNSS seeking grant of regular bail to the accused.

Submissions are heard on the application from both the sides.

TCR is also duly perused.

In the instant case, the case FIR has been registered on the complaint of the complainant Smt. Kamlesh Devi for the commission of offence u/sec. 304(2)/3(5) BNS as it is alleged that 09.04.2026 at about 07:10 am, when complainant was returning to her house after performing Pooja at a nearby temple, two boys who came on a motorcycle, suddenly, snatched her gold chain and thereafter, run away from the spot alongwith the robbed case property.

While arguing on behalf of the applicant/accused and seeking grant of regular bail to him, Ld. Counsel for the applicant has stated that the applicant has been falsely implicated in the present case and is detained in the JC since 17.04.2026. It is stated that moreover, there is a serious dispute with respect to the identity of applicant/accused

as one of the offender since the alleged CCTV footage collected by the Police during the course of the investigation to prima facie disclose the presence and involvement of the applicant/accused during the incident is blurred. It is further stated that moreover the accused has been arrested only on the basis of suspicion that he is one of the person shown in the CCTV footage, though, he has nothing to do with the alleged incident and at the relevant time of his arrest also he was present at his rented accommodation only. It is also submitted that likewise, there is also no recovery of any case property from the possession of the accused. It is further stated that moreover, the investigation of the case is already complete and the charge sheet has also been already filed in the court. It is also argued that the accused is also ready to abide by all the terms and conditions which may be imposed by the court for the purpose of his release on the bail and is also ready and willing to furnish sound and reliable sureties. Hence, it is prayed that since, further judicial custody of the accused is not required for any purpose as the details of the other alleged co-accused are already within the knowledge of the police and no recovery is also to be effected at his instance, he may be granted bail in the present case.

Per contra opposing the application, the Ld. Addl. Substitute PP for the state has submitted that the offence alleged against the accused is very serious in nature and the prima facie involvement of the accused in the commission of the incident also stands duly established through the CCTV footage obtained from the cameras placed enroute to the place of incident. It is argued that moreover, though, a charge sheet has been filed in the court, however, the case property is yet to be

recovered and the co-accused is also still absconding. It is further submitted that likewise considering the gravity of alleged offences, past criminal antecedents of the accused (as he is also involved in four other criminal cases) and the fact that the case property is yet to be recovered, the release of the accused would also adversely impact the chances of recovery of the case property as well as the arrest of his co-accused and also reveals the possibility of the accused again indulging into similar illegal activities. Hence, it is prayed that the bail application in hand may be dismissed.

After hearing the submissions of both the sides and perusing the Trial Court Record, it is apparent that the investigation of the case is already complete qua the present accused and the charge sheet has also been filed in the court. Further, though, there are stated to some CCTV footages in relation to the identity of the applicant/accused as one of the robbers, however, the said CCTV footages and other incriminating evidence is also yet to be appreciated by the court during the trial. Admittedly, there is also no recovery of any case property from the possession of the accused and as apparent from the trial court record there is also no TIP of the accused at the instance of the complainant, though, her police complaint does not reveal that she could not see the face of the alleged robbers or that they were wearing any helmets. As such, the case of the prosecution vis-a-vis the identity of the applicant/accused as one of the offender solely rest upon the alleged CCTV footage.

As far as the contention of the Ld. Defence counsel regarding the other co-accused is concerned, admittedly, the details of

other co-accused are also already within the knowledge of the IO and necessary proceedings for his apprehension/proclamation u/sec. 82 CrPC have already been initiated as is also mentioned by the IO in his reply to the present application. Further, apparently, further judicial custody of the accused is also not required for any recovery at his instance.

As far as the past criminal involvement of the accused are concerned, the same also do not per-se disentitle him for the relief of bail when even otherwise his further judicial custody is not required for any purpose.

Hence, considering the totality of the facts and circumstances of the case, the court is of the view of that further judicial custody of the accused is not required for any purpose.

The bail application in hand moved on behalf of applicant/accused, accordingly, stands allowed. The applicant/accused Rajendra Kumar is directed to be admitted to regular bail subject to fulfillment of the following conditions:-

- (i) He shall furnish a personal bond of **Rs. 20,000/- with one surety** of the like amount, to the satisfaction of Ld. Trial Court/Ld. JMFC/Link JMFC.
- (ii) He shall not leave the country without the permission of this Court.
- (iii) He shall not try to tamper the evidence or hamper the trial or try to influence the remaining witnesses, in any manner.

(iv) He shall furnish his present and permanent address with supporting documents along with an affidavit/undertaking to inform any change thereof without delay to the SHO concerned and this Court.

(v) He shall attend the trial without any single default.

However, it is clarified here that nothing stated herein shall tantamount to any expression or opinion of the court on the merits of the case.

Copy of this order be sent to concerned Jail Superintendent, for necessary intimation to the applicant/accused.

Copy of the order be given dasti to both the sides on request.

TCR be sent back to the concerned court.

(BALWINDER SINGH)
ASJ (FTC)/North-
East/KKD Courts/
Delhi/02.07.2026