

SC 865/2022
STATE Vs. SHIVAM @ MODA AND ANR. (2)
FIR No. 596/2022
PS Adarsh Nagar
U/s. 302/34 IPC

13.07.2026

File taken up today on second application U/s. 483 BNSS for grant of regular bail moved on behalf of applicant/accused **Shivam @ Moda**.

Present: Sh. J. S. Malik, Ld. Addl. PP for the State.
Sh. Deep Soni and Sh. Sumit Kumar Sharma, Ld.
Counsels for applicant/accused.
IO/Inspector Satish in person.

Reply to the above said application has already been filed by IO.

Ld. Counsel for applicant/accused submits that applicant/accused is in JC since 24.06.2022 and he has been falsely implicated in the present case. It is further submitted that prosecution case is based on circumstantial evidence, disputed identification and alleged extra judicial confession and material witnesses including PW-1 Rohit and PW-2 Sunil have not supported the prosecution case on material particulars. It is further submitted that investigation is complete and chargesheet has already been filed and no further recovery remains to be effected from the applicant/accused. It is further submitted that no application of applicant/accused is pending either before any other Court including Superior Courts. It is prayed that above said application may kindly be allowed.

On the other hand, Ld. Additional PP for State strongly

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opposed the bail application and submitted that allegations against the applicant/accused are serious in nature. It is prayed that the above said application may kindly be dismissed.

This court has given thoughtful consideration to the submissions made by Ld. counsel for applicant/accused and Ld. Additional PP for State and has also perused the record placed before the same.

Perusal of the record shows that charges for offences punishable U/s. 302/34 IPC have been framed against applicant/accused and his co-accused person on 12.01.2023. The allegations against applicant/accused **Shivam @ Moda** are that he alongwith his co-accused person, in furtherance of their common intention, committed murder of Ritik(deceased). Perusal of the record shows that matter is at the stage of PE and around thirteen witnesses have been examined out of which examination of three material/eye witnesses have been deferred for want of CCTV Footage/case property which is stated to be in FSL. Perusal of the chargesheet shows that the incident of murder was recorded in CCTV footage. It is important to mention that blood stained clothes of applicant/accused **Shivam @ Moda** were sent to FSL and as per the FSL Result, blood of deceased was found on the clothes of applicant/accused **Shivam @ Moda**.

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Keeping in view of the above said discussion and also considering the severity and the gravity of offence as well as seriousness of allegations, the present bail application of applicant/accused applicant/accused **Shivam @ Moda** is hereby dismissed. Copy of order be given dasti to the concerned parties. The present bail application file be tagged with the main case file.

(Sushil Kumar)
Addl. Sessions Judge- 04
North District Rohini Courts Delhi
13.07.2026