

**Bail Matter**  
**State Vs. Bharat Bhushan @ Tony**  
**FIR No. 223/2018**  
**U/s394/397/34 IPC &**  
**25/27 Arms Act**  
**PS Sultanpuri**

13.09.2024

Present: Sh. K.D. Pachauri, Ld. Addl. PP for the State.  
Sh. Yashvir Singh, Id. Amicus for applicant/accused.

1. *This is an application under Section 483 BNSS for grant of bail, moved on behalf of applicant/accused Bharat Bhushan @ Tony.*

2. Brief facts of the present case, as per prosecution, are that on 26.03.2018 complainant Surender Singh was posted as a guard on cash van bearing registration no. DL 1LW 5259 alongwith driver Pappu and cashier Pashupati Nath. On the said date at about 05:30 pm, after collecting cash from different parties, reached at F-3/445/446 Sultanpuri, Delhi, Good Will Agency to collect the cash where the manager of said agency asked them to wait as cash of one delivery boy was not received. At about 06:00 pm, cashier Pashupati Nath went inside the agency to collect the cash alongwith the bag containing the cash collected from other areas. After collecting the cash when cashier Pashupati Nath came out of the said agency, driver Pappu opened the rear gate of the cash van and when cashier Pashupati Nath was in the process of keeping the bag in the van, two boys came to them who were having pistols in their hands and started firing on them due to which complainant received two bullet shot injuries and when cashier Pashupati Nath ran towards the gali adjacent to the said agency, bag having the cash was dropped from his hands and one of the assailant took the bag. Thereafter, two more boys,

wearing helmets, came on another motorcycle and all the four ran away from the spot alongwith the bag.

3. It is submitted by Id. Amicus Curaie that applicant has been falsely implicated in the present case and nothing has been recovered from or at instance of applicant/accused. Applicant/accused is in JC since 21.05.2018. It is submitted that complainant and public witnesses examined so far have not identified the applicant/accused and only police witnesses have remained to be examined in this case. Further trial will take a considerable time and no purpose will be served by keeping the accused in custody.

4. Id. Addl. PP has opposed the bail application. It is submitted by allegations are very serious and applicant alongwith co-accused persons committed the offence in a very planned manner. There is likelihood the applicant may commit the same offence, if released on bail.

5. Witness to the incident has already been examined and applicant has not been identified by any of the witnesses. There is no recovery from applicant in this case as applicant was arrested in some other case.

6. Considering the facts that public witnesses have been examined, who have not identified the applicant/accused and that trial will take long time because many police witnesses are to be examined and also keeping in view the custody period of applicant/accused, I am of the view that no purpose will be served by keeping the accused in custody. Therefore, the application is allowed. Applicant/accused is admitted to bail on furnishing personal bond in sum of Rs. 50,000/- with one surety of the

like amount subject to the conditions:

*i) That the applicant/accused will supply all numbers of his functioning phones/mobile phones to the IO as well as about his whereabouts;*

*ii) That in case of change of his residential address, he shall intimate the court about the same;*

*iii) That the applicant shall appear on each and every date of hearing before the Court;*

*iv) That the applicant shall not commit the same offence again.*

With these observations, application is disposed off.

**VIKRAM  
ASJ-II/SPECIAL JUDGE NDPS/  
NORTH-WEST/ROHINI COURTS/  
DELHI/13.09.2024**