

Bail application no. 278/2026
State Vs. Sandeep Kumar
FIR No. 317/2025
PS Sangam Vihar
u/s 109(1)/3(5) BNS
14.03.2026

Present: Sh. Arun Kumar Singh, Ld. Additional PP for the
State.
Sh. Hanush, Ld. Counsel for applicant/accused
Sandeep Kumar.

1. This is the second application seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 moved on behalf of the applicant/accused Sandeep Kumar (hereinafter referred to as 'applicant'). The first bail application of the applicant was dismissed on 29.11.2025.

2. It is stated in the bail application that the investigation has been completed and the charge sheet has already been filed. It is further submitted that no custodial interrogation of the applicant is required and that he has undergone more than 203 days of continuous judicial custody. It is also stated that the trial is likely to take considerable time, the injured is medically reported to have impaired memory and cognitive difficulty, and the evidence is largely CCTV based. It is further contended that gravity alone cannot operate as a perpetual bar to bail, especially after completion of investigation, and that there is no possibility of tampering with evidence or influencing witnesses. The applicant undertakes to furnish sound surety.

3. Per contra, the learned Additional Public Prosecutor has opposed the application, submitting that the applicant is involved

in a grave and heinous offence and, along with his associate, attempted to kill the victim. Considering the brutality of the assault and the conduct of the applicant, it is prayed that bail be declined.

4. I have heard the submissions of both sides and gone through the record.

5. The facts, as borne out from the prosecution case, reveal that on 19.07.2025, information was received at the police station regarding an unconscious person lying near a bank in Sangam Vihar. The Investigating Officer reached the spot, only to learn that the injured had already been taken to the hospital.

6. According to the prosecution version, there was some verbal altercation between the accused and the victim. Thereafter, both the accused consumed liquor and decided to take revenge. They searched for the victim and found him sleeping near the bank. At about 12:05 a.m., they assaulted him and left, returned after 10–15 minutes to assault him again, and later, at around 2:50 a.m., came back once more and allegedly threw a heavy stone on his head.

7. The present applicant is attributed an active role throughout the incident. The victim, Rinku Sharma, suffered multiple lacerations and grievous head injuries and is stated to be suffering from impaired recollection. The repeated assaults are prima facie stated to be captured in CCTV footage. The testimony of the injured witness is yet to be recorded.

8. At the outset, it is pertinent to note that the earlier bail application of the applicant was dismissed on merits. It is a

settled principle that a second or subsequent bail application can be entertained only if there is a substantial change in circumstances or new grounds which were not available at the time of consideration of the earlier application.

9. In the present case, no new ground or change in circumstances has been pointed out on behalf of the applicant since the dismissal of the earlier bail application. The grounds urged in the present application—such as completion of investigation, filing of charge sheet, period of custody, and nature of evidence—were either available or could have been urged at the time of the first bail application and do not constitute a material change warranting a different view.

10. The allegations against the applicant remain grave, involving repeated and brutal assaults on a sleeping and helpless victim. The manner in which the offence is alleged to have been committed, coupled with the active role attributed to the applicant and importantly, the testimony of the injured witness—who is stated to be vulnerable—has not yet been recorded—continue to weigh against the grant of bail.

11. In these circumstances, this Court is of the view that no fresh grounds are made out for grant of bail and there is no change in circumstances since the rejection of the earlier application.

12. Accordingly, the present bail application is dismissed.

13. Any observation made herein above is only for the purpose of deciding the present bail application and shall not be construed as an expression on the merits of the case.

14. Let a copy of this order be transmitted to the concerned Jail Superintendent, the Trial Court, Filing Counter – Filing and Bail Section. A copy be also given dasti to the pairokar through counsel, to the complainant through counsel, and to the Investigating Officer for information and compliance, if any.

(SAMAR VISHAL)
ASJ-02/SOUTH/SAKET COURTS
NEW DELHI/14.03.2026