

**06.06.2026**

Present : Ld. Addl. PP for the State.  
Ld. Counsel Sh. Lewish Edward for applicant/ accused  
through VC.

1. **This is an application which has been moved under Section 483 BNSS, 2023 for grant of regular bail for applicant/accused Sumit Kumar.**

2. Ld. Counsel for the applicant/accused has submitted that no similar application of the applicant/accused is pending before any other court.

3. Reply already filed, copy thereof supplied. Nominal roll of accused also received.

4. During the course of arguments, Ld. Counsel for the applicant / accused has submitted that applicant/ accused is 26 years of age, innocent and has falsely been implicated in the present case. It is further submitted that entire prosecution case against applicant is based on the statement of eye witness, who has turned hostile. It is further submitted that prosecution has not shown any role of applicant in the

alleged crime. Ld. Counsel further prays for regular bail to applicant on the ground of parity, as co-accused Sunita Shiva Kumar in the present case has already been granted bail vide Order dt. 27.04.2026 by Hon'ble Delhi High Court and the role of the applicant is similar as that of the co-accused. Ld. Counsel further submits that co-accused Amit Kumar having similar role was also granted bail by this Court vide order dt. 22.05.2026. Ld. Counsel further submits that there are contradictions in postmortem report dt. 21.10.2024 and the scientific findings, laying suspicion on the prosecution case. It is further submitted that applicant has no criminal antecedents. It is further submitted that there is no recovery of alleged weapon from the applicant/ accused. It is further submitted that there is no CCTV visuals to show the alleged role of the applicant/ accused. It is further submitted that applicant/ accused is in J/C since 19.10.2024 i.e. 1 year and 7 months 7 days as on 26.05.2026. It is further submitted that out of 31 witnesses cited in the present case, 5 witnesses have duly been examined, out of them 2 eye witnesses have already been turned hostile. With these submissions, Ld. Counsel prays for regular bail to applicant/ accused.

5. Bail application is opposed by Ld. Addl. PP for State as well as IO stating that allegations against the applicant/accused are serious in nature. Ld. Addl. PP submits that role of the applicant / accused is active, direct and specific, as he participated in the assault and he subsequently, attempted to dispose off the dead body alongwith

co-accused. With these submissions, Ld. Addl. PP prays for dismissal of the present bail application.

6. Submissions heard. Record perused.

7. Brief facts, as per the reply of IO, are that on the intervening night of 18/19.10.2024, applicant alongwith other co-accused persons tied Sandeep @ Bhoora to an electric pole and then gave him beatings. When he fell unconscious, he was put in an e-rickshaw and when, he was being taken away in e-rickshaw, one Parvesh intercepted them with the help of locals. Thereafter, police was called and present case was registered.

8. Admittedly, applicant is running in J/C since 19.10.2024 and two alleged eye witnesses i.e. PW-3 and PW-4 have not supported the case of prosecution. Applicant has no previous involvement. Co-accused Sunita Shiv Kumar, having similar role, has been granted bail by the Hon'ble Delhi High Court vide order dt. 27.04.2026. Co-accused Amit Kumar was also granted bail by this Court on 22.05.2026. Therefore, applicant/ accused is also entitled to bail on the ground of parity. Hence, the bail application of the applicant/ accused **Sumit Kumar** is allowed. Applicant/accused is admitted to bail on furnishing personal bond in sum of Rs.25,000/- with surety in like amount subject to the following conditions :-

- (i) that the applicant/accused shall not under any circumstances try to contact the victim or her family members or any other witness in any manner, leave alone influence them, directly or indirectly;
- (ii) that the applicant/accused shall not misuse the liberty granted to him in any manner whatsoever.
- (iii) That the accused / applicant shall convey change of address or mobile number, if any, immediately to the IO and the Court.

9. **Observation made herein above shall not affect the merits of this case in any manner.**

10. **The application stands disposed off accordingly.**

**(MUNEESH GARG)  
ASJ-03 (NORTH-WEST)  
ROHINI COURTS  
DELHI/06.06.2026**