

22 Bail Matters 186/2026

STATE Vs. NISHANT

e-FIR No. 80120911/2025

PS Kashmere Gate

Under Sections 304(2)/317(2)/3(5) BNS

30.01.2026

Video Conferencing facility is active throughout the proceedings during the day.

This is application under Section 483 Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of bail moved on behalf of the applicant Nishant.

Present: Sh. Pankaj Bhatia, Ld. Addl. PP for the State.
Sh. Puneet Goma, Ld. Counsel for the
applicant/accused Nishant.
IO/HC Ajeet Singh in person.

Reply filed. Taken on record.

Arguments heard. Record perused.

ORDER ON THE BAIL APPLICATION:

Vide this order, this Court shall adjudicate upon the bail application filed under Section 483 BNSS on behalf of the applicant Nishant.

1. Ld. Counsel for the applicant/accused submitted that the applicant has been falsely implicated in the present case and is in judicial custody since 18.12.2025.

2. It is further averred that applicant/accused has nothing to do with the alleged offence, nothing has been recovered at the instance of applicant/accused, applicant/accused does not have any previous involvement, there is material contradiction in the

version of the IOs, face of offender is not visible in the CCTV footage and complainant has changed his version.

3. It is further averred that the accused/applicant is no more required for the custody as investigation is complete and no useful purpose would be served by keeping him behind the bars. It is further averred that the accused/applicant undertakes to abide by all the terms and conditions imposed on the applicant in case the bail is granted.

4. Ld. Addl. PP for the State duly assisted by the IO vehemently opposed the bail application on the ground that the nature of crime is heinous, investigation is at initial stage, charge-sheet is yet to be filed and bail at this stage could raise the apprehensions to witnesses and same would raise the impediments in the free and fair trial. Further, if the applicant is granted bail, he may influence the witnesses. It is prayed that application be dismissed.

5. I have heard the submissions and perused the record carefully.

6. Perusal of the reply filed by the IO reveals that present FIR was registered for the offence under Section 304(2)/317(2)/3(5) BNS and charge-sheet is yet to be filed. It further reveals that there is apprehension that accused/applicant can extend threat to the witnesses, can jump the bail and can tamper with the evidence on being released.

7. In view of aforesaid facts and circumstances, considering the gravity of the offence, seriousness of the allegations levelled against the accused/applicant, fact that investigation is at initial stage, charge-sheet is yet to be filed, fact that material witnesses are yet to be examined, apprehension that accused/applicant can jump the bail, extend threat to the witnesses and can tamper with the evidence on being released and finding force in the submissions made by Ld. Addl. PP for the State and in the reply of IO, this Court is not inclined to enlarge accused/applicant **Nishant** on bail at this stage. Accordingly, the present bail application stands dismissed and disposed of.

8. Needless to say, the above-mentioned observations are predicated solely on the facts as alleged, and brought forth at this juncture, and are not finding on merits, and would also have no bearing on the merits of the case. Application stands disposed of.

Copy of this order be sent to SHO concerned for information. Copy of this order be given dasti to the Ld. Counsel for accused as well as to the Ld. Prosecutor for record.

Order be uploaded on CIS.

(SHILPI JAIN)
ASJ-02, Central, THC
Delhi/30.01.2026