

**Bail Matter 1548/2025
State Vs. Manoj Kumar
FIR No. 516/2025
(Farsh Bazar)
U/s 80/85/3(5) BNS**

30.10.2025

Present: Sh. Jitendra Sharma, Ld. Addl. PP for the State.
Ms. Soni Sharma, Ld. Counsel for applicant/
accused.
Complainant is present with Ld. Counsel Sh.
Mukesh Rajput.
IO Inspector Krishan Gopal is present.

**This is an application U/s 483 BNSS moved on
behalf of the applicant/ accused Manoj Kumar for grant of bail.**

Reply to the present bail application filed. Same is
taken on record. Copy of the same supplied to Ld. Counsel for
applicant/ accused.

Put up the present bail application for orders at **4:00
pm.**

(Gajender Singh Nagar)
Special Judge (NDPS Act)
Shahdara, Karkardooma Courts
Delhi/30.10.2025

At 4:00 pm

Present: Sh. Jitendra Sharma, Ld. Addl. PP for the State.
None for applicant/ accused.

1. Vide this order, the undersigned shall decide bail

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application U/s 483 BNSS moved on behalf of the applicant/accused for grant of bail.

2. It is contended by Ld. Counsel for applicant/accused that applicant/accused is running in J/C since 13.10.2025. It is contended that applicant/accused has been falsely implicated in the present case. The allegations made against applicant/accused qua cruelty and dowry demand are bald and false allegations. The family of the deceased victim has exaggerated the incident in question. It is contended that police has made arrest of applicant/accused in hasty manner as they arrested the applicant/accused on the same day when FIR was registered. It is contended that applicant/accused has already left for his work prior to incident in question. It is contended that the applicant/accused has no criminal antecedents. His custody is no more required for the purpose of investigation. It is contended that there is no evidence against applicant/accused. It is contended that if bail may not be granted to applicant/accused he will loose his job. It is contended that bail is a rule and jail is an exception. Hence, it is requested that bail may kindly be granted to the present applicant/accused on humanitarian ground and not on merits.

To support her arguments, Ld. Counsel for applicant/accused relied on the cases titled as ***Arnesh Kumar Vs. State of Bihar & Anr., (2014) 8 SCC 273; Dataram Singh Vs. State of U.P., (2018) 3 SCC 22 and Nikesh Tarachand Shah Vs. Union of India, (2018) 11 SCC 1 : (2017) 13 SCALE 609.***

3. The present bail application has been vehemently

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opposed on behalf of victim. It is contended that deceased victim was killed by her in-laws including the present applicant/accused. Hence, it is requested that bail may not be granted to applicant/accused.

4. The present bail application has also been vehemently opposed by Ld. Addl. PP for the State on the ground that within a year of marriage deceased wife of the applicant/accused committed suicide due to cruelty and dowry demand made by the present applicant/accused and his family members. Postmortem report is yet to be received in the present matter, which will confirm if its a suicide or murder. There are direct/specific allegations of cruelty and dowry demand made by the present applicant/accused and his family members. It is contended that the investigation is at initial stage. It is contended that there are high chances if bail may be granted to applicant/accused, he may try to influence the family members of the deceased victim who are poor and he may run away from justice. Thus, the present application for grant of bail to applicant/accused may be dismissed.

5. Heard. Record perused.

6. In ***Prasanta Kumar Sarkar Vs. Ashis Chatterjee & Anr., (2010) 14 SCC 496*** Hon'ble Supreme Court has held that:-

“11. It is well settled that, among other circumstances, the factors to be borne in mind while considering an application for bail are:

- (i) whether there is any prima facie or reasonable ground to believe that the accused had committed the offence;*
- (ii) nature and gravity of the accusation;*
- (iii) severity of the punishment in the event of conviction;*
- (iv) danger of the accused absconding or fleeing, if released on*

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bail;

(v) character, behaviour, means, position and standing of the accused;

(vi) likelihood of the offence being repeated;

(vii) reasonable apprehension of the witnesses being influenced; and

(viii) danger, of course, of justice being thwarted by grant of bail.

12. It is manifest that if the High Court does not advert to these relevant considerations and mechanically grants bail, the said order would suffer from the vice of non-application of mind, rendering it to be illegal. In Masroor (supra), a Division Bench of this Court, of which one of us (D.K. Jain, J.) was a member, observed as follows: "Though at the stage of granting bail an elaborate examination of evidence and detailed reasons touching the merit of the case, which may prejudice the accused, should be avoided, but there is a need to indicate in such order reasons for prima facie concluding why bail was being granted particularly where the accused is charged of having committed a serious offence.

7. The offence in question is of most grave and heinous nature where a lady murdered or committed suicide within 10 months of her marriage due to cruelty and dowry demand made by her in-laws and husband (i.e. present applicant/ accused). Investigation is at initial stage. There are high chances if bail may be granted to applicant/ accused, he may influence the family members of the deceased victim or witnesses and may run away from justice. With these observations, the present bail application of applicant/ accused **Manoj Kumar** is hereby **dismissed**.

8. *Nothing expressed here-in-above, shall tantamount to any opinion on the merits of this case.*

9. Copies of this order be given dasti to Ld. Counsel for applicant/ accused, Ld. Counsel for victim and to the IO, as

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per rules.

10. In compliance of direction of ***Hon'ble Supreme Court of India*** in case titled '***In Re : Policy Strategy for Grant of Bail***', Writ Petition (Crl.) No. 04/2021 dated 31.01.2023, copy of this order be sent to applicant/ accused through concerned Jail Superintendent for information.

(Gajender Singh Nagar)
Special Judge (NDPS Act)
Shahdara, Karkardooma Courts
Delhi/30.10.2025