

Bail Application No. 549/26

FIR No. 0124/26

PS: IP Estate

u/s: 109(1)/3(5) BNS

State vs Sufiyan Yusuf

27.03.2026

This is an application under section 483 of BNSS for grant of interim bail moved on behalf of the applicant/accused Sufiyan Yusuf.

Present : Sh. Abhishek Rana, Ld. Addl. PP for the State.

Applicant/accused produced from the JC.

Sh. R.N. Vats, Ms. Ragini Singh and Sh. Tanmay Vats, Ld.

Counsels for the applicant/accused.

Injured in person alongwith his father.

IO SI Rahul Dhama in person.

Arguments heard. The Court has interacted with the victim as well as the applicant/ accused.

ORDER

1. The present application has been moved on behalf of the applicant/accused Sufiyan Yusuf S/o Mohd. Faisal, aged about 18 years, under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter “BNSS”) seeking grant of interim bail in FIR No. 0124/2026, PS IP Estate, registered under Sections 109(1)/3(5) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter “BNS”).

2. The prosecution case, as emerges from the FIR registered on 18.03.2026 on the basis of the statement of the complainant Mohd. Rayyan S/o Mohd. Rais (aged about 19 years) is as follows:

On 16.03.2026, the applicant/accused Sufiyan and a Child in Conflict with Law (hereinafter “CCL”) namely “SY” were allegedly burning and throwing crackers inside the premises of Anglo Arabic Sr. Sec. School, Ajmeri Gate, New Delhi. When the complainant objected, both accused persons allegedly abused and quarrelled with him. Other students intervened and stopped the altercation, whereafter both accused persons allegedly left the spot giving threats to kill the complainant.

On 18.03.2026 at approximately 1:30 PM, the complainant went to Andhra Public School, DDU Marg, New Delhi, to receive his friend Umair after completion of an examination. When the complainant reached the main gate of the school, both the accused persons were already present there and, upon seeing him, allegedly started abusing him. As per the complainant’s statement, the CCL “SY” started fighting with the complainant while the applicant/accused Sufiyan was holding the complainant. When other students intervened, the applicant/accused Sufiyan allegedly exhorted the CCL stating: **“Stab him with knife & finish his game.”** Thereupon, the CCL “SY” allegedly took out a knife and attacked the complainant multiple times on his head, forearm and face.

The complainant was taken to LNJP Hospital where his MLC (No. 20260150130) was prepared, recording the following injuries: (i) incised wound over the parietal region of the head, 3 cm x 0.5 cm; (ii) incised wound on the left forearm, 5 cm x 1 cm; (iii) multiple abrasions on the forehead, below the left eye, face and both hands; and (iv) periorbital swelling on the left eye. The complainant was opined “Unfit for Statement (U/O)” at the time of medical examination.

3. During the course of investigation, the applicant/accused Sufiyan and CCL “SY” were arrested and apprehended respectively on 18.03.2026. The applicant/accused was remanded to judicial custody on 19.03.2026. The IO has stated that eyewitness statements have been recorded and CCTV footage has been obtained and preserved for the purpose of investigation. The IO has confirmed that the applicant/accused has no previous criminal involvements. The case is pending investigation.

4. Learned counsel for the applicant has submitted that the applicant is a student of Class XII at Anglo Arabic Sr. Sec. School, Ajmeri Gate, New Delhi, and is appearing in the Senior Secondary Examination, 2026 conducted by the Central Board of Secondary Education (CBSE). It is urged that out of six papers, the applicant has already appeared in five examinations held between 18.02.2026 and 18.03.2026, and his last remaining paper, Sociology (Subject Code 039), is scheduled on 04.04.2026. It is contended that if the applicant is not released on interim bail, his entire academic year shall be wasted and his career shall suffer irreparable prejudice. The applicant has annexed his CBSE Admit Card (Roll No. 26651427, School No. 87012, Centre No. 857147), copy of the date sheet and Aadhaar card in support. It is further submitted that the applicant is not seeking regular bail, and the prayer for interim bail is bona fide and limited in scope. The applicant is stated to be a permanent resident of Delhi with deep roots in society and no previous criminal involvement.

5. Learned Addl. PP for the State, assisted by the IO SI Rahul Dhama who appeared in person, has opposed the application on the grounds that the offence committed is heinous in nature.

The IO, in his reply dated 24.03.2026, has confirmed, upon verification, that the applicant/accused is studying in Class XII at Anglo Arabic School, Ajmeri Gate, New Delhi, and is appearing for his board examinations at Andhra Public School, DDU Marg, New Delhi, with his last examination scheduled on 04.04.2026. The IO has also confirmed that the applicant/accused has no previous criminal involvements.

6. On the preceding date, this Court had directed the IO to file a status report qua the well-being and examinations of the complainant Mohd. Rayyan, as it was stated that the victim is of the same class as that of the applicant/accused. The Court had further indicated that in the event the complainant or his family wished to participate in the bail proceedings, they were at liberty to join through virtual link.

The status report filed by the IO records that the complainant has been advised rest and has been taking treatment for his injuries. Upon inquiry by this Court, the complainant stated that he is preparing for his upcoming examinations and that he intends to appear in his remaining papers.

It is further noted, and this fact is of considerable significance, that the complainant and the applicant/accused are students of the same class and section at Anglo Arabic Sr. Sec. School, Ajmeri Gate, New Delhi.

7. This Court had directed the production of the applicant/accused from judicial custody and interacted with him in open court. The applicant was able to correctly name his subjects and examination dates. He stated that he understands the seriousness of the charges against him and undertakes to comply with all conditions that may be imposed by this Court.

8. This Court has heard the learned counsel for the applicant, the learned Addl. PP for the State, and the IO in person and also interacted with the complainant/victim and the applicant/accused. The is Court has carefully perused the FIR, the bail application with all annexures, the IO's reply, the status report regarding the complainant's condition, and all the documents on record.

9. At the outset, this Court must recognise the gravity of the offence alleged. Section 109(1) BNS pertains to attempt to murder, which carries a maximum sentence of imprisonment for life. The role attributed to the applicant in the FIR and the IO's reply is not that of a mere bystander. The prosecution case is that the applicant was holding the complainant while the CCL attacked him with a knife, and further that the applicant instigated the attack by exhorting the CCL to "stab him with knife & finish his game." The injuries recorded in the MLC are that of the incised wounds on the head and forearm.

10. However, the present application is not one for regular bail. It is an application for interim bail under Section 483 BNSS, which is narrower in scope and is sought for a specific, limited purpose and duration. The Supreme Court has consistently recognised the power of courts to grant interim bail in compelling circumstances.

11. The question before this Court is whether the necessity of appearing in the last remaining paper of the CBSE Class XII Board Examination constitutes a sufficiently compelling circumstance to justify the grant of interim bail for a limited period, notwithstanding the serious nature of the charges.

The right to education is a fundamental right under Article 21-A of the Constitution of India. The applicant is a Class XII student who has already appeared in five out of six board examination papers. His last paper (Sociology) is on 04.04.2026. If the applicant is not permitted to appear in this examination, his entire academic year will be lost and he will have to re-appear in all six subjects in the following year. This constitutes irreparable prejudice to the academic career of a young person who is 18 years of age. The loss of an academic year at this critical juncture cannot be undone even if the applicant is ultimately found not guilty.

The IO himself, in his reply dated 24.03.2026, has verified and confirmed the applicant's student status, the examination schedule, and the fact that the last paper is on 04.04.2026. This lends considerable credibility to the ground urged and removes any doubt about the bona fides of the prayer.

The IO has categorically stated that the applicant has no previous criminal involvements.

12. Having considered the matter in its entirety, this Court is of the considered view that the above factors cumulatively tilt the balance in favour of granting interim bail for a strictly limited purpose and duration. During the course of hearing, this Court has considered whether a wider window of release is necessary and found that it is not. During the course of submissions, learned counsel for the accused submitted that the interim bail be confined to four days, with release on 31.03.2026 and surrender on 04.04.2026.

13. As regards the State's objection that the offence is heinous and that granting bail would undermine public confidence, this Court is mindful of the gravity of the offence. However, the Apex Courts has cautioned against treating the nature

of the offence as the sole determinant in bail matters. Moreover, interim bail for the specific purpose of appearing in an examination does not amount to condonation of the alleged offence; it merely ensures that the constitutional right to education of the applicant is not irretrievably sacrificed during the pendency of investigation.

14. The facts of this case compel a broader observation. The age group of 14 to 18 years is a period of acute biological and emotional transition for boys. It is a phase marked by heightened impulsivity, peer influence, and a still-developing capacity for consequential thinking. In recent times, the exposure of children violence through social media, online content, and the broader environment has increased manifold. What was once distant and abstract is now immediate and immersive. This heightened exposure demands a correspondingly heightened vigilance not merely of the same kind, but of a different and more attentive quality from parents, schools, and communities alike. A trivial quarrel over crackers on 16.03.2026 escalated within 48 hours to an alleged attempt on life with a knife on 18.03.2026.

The safety and well-being of children in and around educational institutions is a shared responsibility- of students who must learn to resolve conflict without resort to violence; of parents and guardians who bear the primary duty of instilling discipline, empathy and respect for human life in their children; of school authorities who must ensure that their premises and surroundings remain safe spaces and not arenas of violence, and who must intervene meaningfully at the first sign of conflict rather than allow it to fester; and of the community at large which shapes the environment in which these young persons grow. This Court notes with concern that the initial altercation on 16.03.2026 involving crackers being burnt inside the school premises

appears to have gone entirely unaddressed by the school administration. While the subsequent knife attack on 18.03.2026 occurred at the main gate of the examination centre, the gate of a school is not a no-man's land; it is the point of ingress and egress where students congregate daily, and falls squarely within the sphere of responsibility and duty of care of the educational institution. No disciplinary intervention, no counselling of the students involved, and no communication with the parents of either side appears to have been undertaken in the intervening 48 hours before the incident escalated to a knife attack. A timely intervention by a trained counsellor, a conversation with the parents, or even a stern word from a teacher could well have prevented this Court from having to deal with a case under Section 109(1) BNS involving two young persons who ought to be sitting in classrooms rather than in courtrooms and custody. By the time a matter reaches the courts, the damage is already done to the body and mind of the victim, to the future of the accused, and to the trust that every parent places in the institution to which they send their child each morning. No academic result is meaningful if the environment in which it is pursued is one of fear and violence.

15. In view of the foregoing discussion, and having balanced the gravity of the offence against the compelling circumstance of the applicant's CBSE Board Examination, and having interacted with both the complainant/victim and the applicant/accused, this Court is inclined to grant interim bail to the applicant/accused Sufiyan Yusuf S/o Mohd. Faisal for a strictly limited period, subject to the following stringent conditions:

(i) The applicant/accused shall be released on interim bail upon furnishing a personal bond in the sum of Rs. 25,000/- (Rupees Twenty-Five Thousand Only) with two sureties of the like amount, preferably both parents

of the applicant. Both sureties shall stand guarantee for the applicant's compliance with all conditions and his timely surrender.

(ii) The interim bail shall commence on the evening of 31.03.2026. The applicant shall surrender before the Jail Superintendent on 04.04.2026 at 6 pm without fail. In the event of failure to surrender, the bail bonds shall stand forfeited and a non-bailable warrant shall be issued forthwith.

(iii) The applicant shall not, directly or indirectly, contact, communicate with, threaten, or attempt to influence the complainant Mohd. Rayyan, the CCL "SY", or any other witness in the case, through any medium whatsoever whether in person, through family members, through intermediaries, by telephone, social media, or otherwise. Given that the complainant and the applicant are classmates studying in the same class and section, this condition requires strict and scrupulous compliance. Any violation, even a single instance, shall entail immediate cancellation of interim bail without further notice.

(iv) The applicant shall not visit or go near the locality of the complainant during the period of interim bail.

(v) On the date of the examination, i.e., 04.04.2026, the applicant shall proceed to the examination centre accompanied by his father/guardian. The applicant shall enter the examination hall directly upon arrival and shall not loiter at or near the main gate or the school premises before or after the examination. Immediately upon conclusion of the paper, the applicant shall leave the examination centre with his father/guardian without any delay. The father/guardian shall remain present at the centre throughout the duration of the examination. This Court specifically notes that the examination centre is the same location where the alleged incident of 18.03.2026 took place, and the

applicant is warned that any incident at or near the said premises shall be viewed with the utmost gravity.

(vi) The applicant shall not leave the territory of NCT of Delhi during the period of interim bail.

(vii) The applicant shall remain at his residential address at all times except when proceeding to and returning from the examination centre on 04.04.2026.

(viii) The applicant/accused shall provide his functional mobile number to the IO immediately upon release and shall keep the mobile phone switched on and reachable at all times during the period of interim bail. The applicant shall share his live location with the IO.

(ix) The applicant shall present himself before the SHO/IO at PS IP Estate on the date of his release, i.e., 31.03.2026. On the date of surrender, i.e., 04.04.2026, he shall surrender directly before the Jail Superintendent at 6 pm.

(x) The applicant shall not tamper with any evidence or criminal records in any manner and shall cooperate with the investigation.

(xi) It is made clear that this order of interim bail is strictly for the limited purpose of enabling the applicant to appear in his CBSE Class XII Board Examination (Sociology, Subject Code 039, dated 04.04.2026) and shall not be treated as a precedent or as an expression of opinion on the merits of the case or on any regular bail application that may be filed hereafter.

(xii) Violation of any of the above conditions shall entail immediate cancellation of interim bail. The applicant has been informed of these conditions in open court and has stated that he understands and undertakes to comply with the same.

16. Directions:

(A) SHO concerned is directed to depute a responsible officer to remain present at the examination centre, i.e., Andhra Education Society SSS, DDU Marg, New Delhi, on 04.04.2026 during the hours of the CBSE Sociology examination, so as to ensure that both the complainant/victim Mohd. Rayyan and the applicant/accused are able to appear for their examination in a safe and orderly manner, without any untoward incident. The officer so deputed shall ensure that no contact takes place between the applicant/accused and the complainant at or near the examination centre.

(B) SHO/IO concerned is further directed to take up the matter with the school authorities of Anglo Arabic Sr. Sec. School, Ajmeri Gate, New Delhi, Central Board of Secondary Education (CBSE), if required, Andhra Education Society SSS, DDU Marg, New Delhi, and to coordinate with them regarding the steps to be taken to ensure that both the applicant/accused and the complainant/victim are able to appear for their examination without any hindrance, fear, or apprehension. The school authorities shall ensure that adequate arrangements are in place, including, if necessary, seating the applicant/accused and the complainant in separate rooms or at sufficient distance from each other within the examination hall, and staggering their entry and exit from the premises.

(C) SHO/IO concerned is further directed to bring the observations made by this Court in paragraph 14 of this order to the notice of the school authorities of Anglo Arabic Sr. Sec. School, Ajmeri Gate, New Delhi, for such action as they may deem appropriate in the interest of the safety and well-being of their students.

17. The application for interim bail stands allowed and disposed of in the above terms. Copy of this order be given dasti to learned counsel for the applicant/accused. Copy of the order be sent to the concerned Jail Superintendent through e-mail as well as jail dak/ portal for service upon the applicant/accused. Copy of the order be also sent to the concerned SHO/IO for information, necessary compliance.

**(SHREYA ARORA MEHTA)
JUDGE BAIL ROSTER
ASJ/SFTC-02(CENTRAL)
THC: DELHI : 27.03.2026**