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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% ***Date of Decision : 03.11.2026***

\# **CNR No. DLHC010530242026**

\+ **BAIL APPLN. 4719/2026 & CRL.M.A. 34567/2026**

RAHUL ALIAS SAHIL .....Petitioner

Through: Mr. Pankaj and Mr. Sanjay, Advs.

versus

STATE NCT OF DELHI AND ANR. .....Respondents

Through: Mr. Utkarsh, APP for State along with Insp. Vijay Kasana, PS DCRS.

CORAM:
HON'BLE MR. JUSTICE SACHIN DATTA

SACHIN DATTA, J. (*ORAL*)

1. The present application under section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') seeks interim bail for a period of 45 days in a case arising out of FIR No. 0006/2025 dated 14.03.2025 registered under sections 103(1)238(a)/3(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS) & sections 25/54/59 of the Arms Act, 1959 at P.S. Delhi Cantt. Railway Station.

2. The only ground for interim bail is that the applicant wants to appear in the Class 10th (Secondary) examinations being conducted by the National Institute of Open Schooling (NIOS), Delhi.

3. The factual conspectus of the case is that the present applicant, along with co-accused persons, is accused of assaulting one Pankaj, aged about 22 years, on the night 08 / 09.03.2025 near the Prem Nagar railway crossing, Patel Nagar, Delhi. It is alleged that the deceased was beaten with pipes, chased onto the railway tracks, stabbed by co-accused persons and left on the

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tracks, where his body was run over by a train. The applicant was arrested on 14.03.2025 and has been in custody since then.

4. The chargesheet dated 11.05.2025 has been filed. Currently, the matter is at the stage of arguments on charge and is stated to be listed on 04.11.2026.

5. The applicant had earlier moved an application seeking interim bail on the same ground before the learned trial Court, which was dismissed by the learned ASJ-04, Central District, Tis Hazari Courts, Delhi *vide* order dated 29.10.2026, on the ground that, as per the report of the concerned Superintendent, an examination centre of NIOS is available within the jail premises and the examination can be conducted there.

6. It is noted that *vide* order dated 15.09.2026, the learned ASJ-04, Central District, Tis Hazari Courts had granted interim bail to the present applicant for a period of 10 days for appearing in the practical examinations, in connection with the same Class 10th examinations. The said order reads as under:

> 1. This is an application seeking interim bail on the ground of examination of applicant / accused.
>
> 2. Reply on behalf of IO filed. Copy supplied.
>
> 3. As per reply filed by the IO, examinations hall ticket has been verified according to which accused has to appear for practical examination on any date from 14/09/2026 to 17/09/2026 for home science and for basic computing from 22/09/2026 to 25/09/2026.
>
> 4. Considering the facts and circumstances, the applicant is admitted to interim bail for 10 days from the date of release on furnishing a personal bond for a sum of ₹ 25,000/- with one surety of the like amount subject to the satisfaction of this Court, on following conditions:-
>
> (i) *The applicant shall not indulge in any other criminal activity during the period of interim bail and*

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shall not contact any witness in any manner.

(ii) The applicant shall duly surrender before the jail authority after expiry of the period of interim bail.

(iii) The applicant shall provide his mobile phone number to the concerned SHO which he shall keep active at all times.

(iv) The applicant shall not try to influence the witnesses.

5. Nothing said herein shall tantamount to any expression or opinion of this Court on the merits of this case and all the observations has been made only for the disposal of the present application.

6. The application of the applicant Rahul @ Sahil for grant of interim bail is allowed in above terms.

7. Copy of this order be given dasti to the ld. Counsel for the applicant.

8. A hard as well as soft copy of this order be also sent to the concerned Jail Superintendent for information and necessary action.

9. The application is disposed of in above terms.

अतिरिक्त सत्र न्यायाधीश-04
Addl. Sessions Judge-04

7. Learned counsel for the applicant submits that the applicant is a young man, aged about 21 years, with no criminal antecedents. It is submitted that the applicant has been allotted an examination centre outside the jail premises, i.e., Baba Ramdev SKV, Prasad Nagar, Delhi, as reflected in his hall ticket, which has been verified by NIOS *vide* communication dated 28.10.2026. It is further submitted that the applicant has complied with the directions contained in the aforesaid order dated 15.09.2026, whereby the interim bail was granted for the purpose of appearance in the practical examinations, and duly surrendered upon expiry of the said period.

8. Learned APP for the State opposes the present application on the

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grounds that the allegations are serious, charges are yet to be framed, and the examination can be held within the jail premises.

9. It is stated that as per the report dated 25.10.2026 of the Superintendent, Central Jail No. 8/9, Tihar, an examination centre of NIOS and IGNOU is available within the jail premises.

10. I have given my thoughtful consideration to the submissions made by the respective counsel for the parties.

11. The applicant was granted interim bail by the learned trial Court *vide* order dated 15.09.2026. Admittedly, he has complied with the terms and conditions set out in the aforesaid order dated 15.09.2026 and duly surrendered upon expiry of the period of the interim bail.

12. The examination schedule, as per the hall ticked issued by NIOS, has been placed on record, and the same reads as under:

Subject Code	*Subject name*	*Date/Time of*
216	*Home Science*	*31-10-2026 (02:30 - 05:00 PM)*
202	*English*	*12-11-2026 (02:30 - 05:00 PM)*
201	*Hindi*	*18-11-2026 (02:30 - 05:00 PM)*
213	*Social Science*	*21-11-2026 (02:30 - 05:00 PM)*
608	*Basic Computer*	*02-12-2026 (02:30 - 05:00 PM)*

13. The hall ticket has been verified by NIOS *vide* its communication dated 28.10.2026, which confirms that the examination schedule, subjects, dates and examination centre mentioned therein are correct. The examination centre allotted to the applicant is Baba Ramdev SKV, Prasad Nagar, Delhi. While the report of the Jail Superintendent states that an examination centre of NIOS is available within the jail premises, nothing has been placed on record to show that the examination centre of the applicant has been shifted to the jail, or that NIOS has permitted him to take the examination there.

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14. As can be seen, the Home Science paper was scheduled on 31.10.2026 and the remaining theory papers are scheduled to be held on 12.11.2026, 18.11.2026, 21.11.2026 and 02.12.2026. In these circumstances, and considering that the applicant did not misuse the liberty granted to him earlier, this Court is of the view that interim bail for a period of one month is warranted, which would cover the remaining examinations.

15. Accordingly, in these circumstances, the applicant is admitted to interim bail for a period of one month from the date of release, on furnishing a personal bond in the sum of Rs. 25,000/- with one surety of the like amount, to the satisfaction of the learned trial Court, subject to the following conditions :-

i. The applicant shall surrender before the concerned Jail Superintendent on the expiry of the period of interim bail;

ii. The applicant/accused shall not leave the country without prior permission of the Trial Court;

iii. The applicant/accused shall provide his permanent address to the learned Trial Court and also the address where he will be residing during the pendency of the case;

iv. The applicant/accused shall intimate the Investigating Officer (IO) of any change in his residential address and shall file an affidavit to that effect before the learned Trial Court;

v. The applicant/accused shall furnish his mobile number to the IO/Station House Officer (SHO) concerned, which shall be kept in working condition and switched on at all times. The mobile number shall not be changed without prior intimation to the IO

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during the pendency of the trial;

vi. The applicant/accused shall report to the IO as and when called upon to do so;

vii. The applicant/accused shall not, directly or indirectly, contact the complainant, any prosecution witness, and their family members;

viii. The applicant/accused shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case, or tamper with the evidence in the case in any manner whatsoever;

ix. The applicant/accused shall appear before the learned Trial Court on each and every date of hearing;

x. The applicant/accused shall not indulge in any criminal activity during the period of bail; and

xi. The applicant/accused shall report to the concerned SHO, on the every Monday of every month at 11:00 a.m. and be discharged by 01:00 p.m., after his presence has been recorded and the necessary formalities have been completed.

16. The present application is disposed of in the above terms.

17. It is clarified that the observations made herein are solely for the purpose of deciding the present bail application and shall neither influence the trial proceedings nor be construed as an expression of opinion of this Court on the merits of the case.

18. A copy of this order be communicated electronically to the concerned Jail Superintendent for information and necessary compliance.

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19. Pending application also stands disposed of.

SACHIN DATTA, J

NOVEMBER 3, 2026/*at/ka*

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