



2026:DHC:3760



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

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Date of Decision: 04.05.2026+ **BAIL APPLN. 1146/2026**

ANISH YADAV

.....Petitioner

Through: Mr. Shyam Babu and Kunal Madan,
Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Hemant Mehla, APP for State
with IO/SI Hardeep.**CORAM: JUSTICE GIRISH KATHPALIA****J U D G M E N T (ORAL)**

1. The accused/applicant seeks regular bail in case FIR No. 175/2025 of Police Station Anand Parbat for offence under Section 109(1)/132/221/3(5)/49 BNS and Section 25/27 Arms Act.

2. Broadly speaking, the prosecution allegation is that on 24.02.2025, when a police party on the basis of a secret information visited the spot, the present accused/applicant with his associates were consuming some



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intoxicant and on seeing the police party, co-accused Ravi Paswan stabbed the complainant sub inspector Neeraj while co-accused Raju also attacked SI Neeraj Chaudhary, but the latter ducked. At that time, the present accused/applicant allegedly brandished a pistol. After that all the accused persons fled the spot. Accordingly, the present FIR was registered on the statement of the injured sub inspector Neeraj. Thereafter on the next date (25.02.2025), a police team of Special Staff arrested the present accused/applicant and co-accused Anurag as they were found in possession of a pistol and a country-made weapon, as such another FIR was registered. In the incident dated 25.02.2025, the present accused/applicant allegedly fired at the police party, which responded by firing back, thereby causing bullet injury on the leg of the accused/applicant.

3. Learned counsel for accused/applicant has taken me through chief examination of PW4/HC Vikesh Kumar and it is pointed out that the said witness was completely silent about any role played by the present accused/applicant. It is also submitted that the said witness was neither declared hostile by the public prosecutor nor any permission was sought to put leading questions to PW4 *qua* the present accused/applicant. Further, it is contended that since all prosecution witnesses are police officials, there is no possibility of the accused/applicant influencing any witness.

4. Learned APP assisted by Investigating Officer/SI Hardeep opposes the bail application on the ground of severity of offence as the



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accused/applicant had opened fire at the police party. However, learned APP fairly submits that the incident of opening of fire at the police party took place on the subsequent day and not on the day regarding which the present FIR was registered.

5. It is also submitted by learned counsel for accused/applicant that in the FIR registered on the next day, in which it is alleged that the accused/applicant opened fire at the police party, the accused/applicant has already been released on bail.

6. Thus, as regards to the alleged incident of the accused/applicant opening fire at the police party, he has already been granted bail while in the alleged incident of the accused/applicant brandishing the pistol, he is in custody since 01.03.2025. All witnesses of prosecution are police officials and it cannot be said that they would get pressurised, much less be terrorised by the accused/applicant if he is granted bail. Further, as mentioned above, PW4/HC who also was a member of the police party was completely silent about any role played by the present accused/applicant and there is no challenge to that testimony before the trial court.

7. Considering the above circumstances, I do not find any reason to deprive further liberty to the accused/applicant. Therefore, the bail application is allowed and accused/applicant is directed to be released on bail subject to his furnishing a personal bond in the sum of Rs.10,000/- with



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one surety in the like amount to the satisfaction of the trial court.

8. A copy of this order be immediately transmitted to the concerned Jail Superintendent for informing the accused/applicant.

**GIRISH KATHPALIA
(JUDGE)**

MAY 04, 2026/ry