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

% *Date of Decision: 10.03.2026*

+ **BAIL APPLN. 4540/2024 & CRL.M.A. 37069/2024**

VIRENDRA BIJARNIYAPetitioner

Through: Mr. N.R. Swetabh, Advocate.

versus

STATE GOVT. OF NCT OF DELHIRespondent

Through: Mr. Hemant Mehla, APP for State
with IO/ASI Vineet Kumar.

CORAM: JUSTICE GIRISH KATHPALIA

JUDGMENT (ORAL)

1. The accused/applicant seeks anticipatory bail in case FIR No.330/2024 of Police Station Fatehpur Beri for offence under Section 33/52 Delhi Excise Act and Section 201 IPC.

2. This anticipatory bail application was listed for the first time before the predecessor bench on 09.12.2024 and the accused/applicant was granted interim protection from arrest. Thereafter, this application remained pending before different predecessor benches. On 31.10.2025, since none appeared for the accused/applicant, the predecessor bench vacated the interim protection. Thereafter, along with 179 such old pending bail applications,



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this application also was transferred to this bench. Today, the matter came up before me for the first time and I have heard learned counsel for accused/applicant and learned APP for State assisted by IO/ASI Vineet Kumar.

3. Broadly speaking, the prosecution case is that a raiding team, constituted on the basis of a secret information *qua* illicit liquor intercepted one Bolero car which was being piloted by a Wagon R driven by one Head Constable of Delhi Police. From Bolero car, 50 bottles of illicit liquor were recovered. Driver of the Bolero car disclosed that he had been introduced into the manufacturing, transportation and sale of illicit liquor by the present accused/applicant; and that they had established a factory for manufacturing illicit liquor in Khetri, Rajasthan, which premises had been taken on rent by them, with the help of the present accused/applicant.

4. Learned counsel for accused/applicant submits that there is no evidence against him and he has been falsely implicated in this case. It is also submitted that only on the basis of disclosure statement of a co-accused, liberty of the accused/applicant cannot be curtailed.

5. Learned APP for State in all fairness does not dispute that except the disclosure statement of driver of the Bolero car, there is no evidence against the accused/applicant. However, on instructions of the IO, learned APP submits that the accused/applicant has not been cooperating in the investigation, though he has joined investigation as and when called.



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6. Considering the above circumstances, especially no allegation of misuse of interim liberty by the accused/applicant, I find no reason to deny liberty to the accused/applicant. Besides, it is also informed by both sides that chargesheet has already been filed.

7. Therefore, the application is allowed and it is directed that in the event of his arrest, the accused/applicant shall be released on bail, subject to his furnishing a personal bond in the sum of Rs.10,000/- with one surety in the like amount to the satisfaction of the IO/SHO concerned. Pending application stands disposed of.

**GIRISH KATHPALIA
(JUDGE)**

MARCH 10, 2026/ry