



2026:DHC:8266



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Reserved on: 23rd September, 2026**Pronounced on: 24th September, 2026**

CNR No. DLHC010232902026

+ BAIL APPLN. 2000/2026

BHOLA SHANKAR

.....Applicant

Through: Ms. Ujala Vishnoi, Advocate

versus

STATE OF GNCT DELHI

.....Respondent

Through: Mr. Sunil Kumar Gautam, APP for
the State

SI- Sandeep Yadav, PS: V.K. North

Email: Sandeep_sets@yahoo.com

Mob: 9818415823

Mr. Fakhrudin, Head Wardern, Distt.
Jail, Jind Haryana**CORAM:****HON'BLE MS. JUSTICE MINI PUSHKARNA****JUDGMENT****MINI PUSHKARNA, J.**

1. The present application has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS"), seeking grant of regular bail to the applicant, i.e., Sh. Bhola Shankar @ Shankar Yadav, S/o Sh. Sant Ram, in respect of *FIR 88/2025* dated 14th February, 2025, under Sections 311, 317(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 ("BNS") and Section 25 and 27 (2) of the Arms Act, 1959 ("Arms Act"), registered at Police Station ("PS") Vasant Kunj North, South West, Delhi.



2. In the present case, the FIR was registered under Sections 309(4)/3(5) of the BNS and 25 of the Arms Act on the basis of a complaint made by the complainant, i.e., Sh. Vipin Puri, who runs a travel agency shop in the name and style of “*Aapka Travels Pvt. Ltd.*” in Mahipalpur, Delhi.
3. The case being *SC 256/2025*, in connection with the present FIR, is pending adjudication before the Additional Sessions Judge (“ASJ”) – 02, Patiala House Courts, New Delhi, and is presently at the stage of arguments on charge.
4. The prosecution had filed a Chargesheet dated 07th May, 2025, under Sections 311/317(2)/3(5) of the BNS and Section 25/27(2) of the Arms Act, before the Trial Court. The case of the prosecution, as emerging therefrom, is as follows:
 - a. On 14th February, 2025, two masked men entered the complainant’s Shop and, at gunpoint, looted Indian and foreign currency notes worth Rs. 7,50,000/-.
 - b. The said persons fled from the Shop in a vehicle, i.e., a car bearing registration no. RJ-39-CA-5978, which was driven by the applicant, who was waiting outside the shop in the said vehicle.
 - c. Upon investigation by the police, it was found that the vehicle in question was rented out by the applicant, i.e., Sh. Bhola Shankar. The said vehicle was found abandoned on the roadside, near Fortis Hospital, Vasant Kunj, Delhi.
 - d. The police on 15th February, 2025, upon receipt of confidential information that the three individuals responsible for the robbery were planning to meet at a secluded place near Jai Vihar, Baprola, New Delhi, to plan their next criminal act, apprehended Sh. Dipanshu and



Sh. Gaurav Dhania, who came to the said spot on a motorcycle bearing registration no. DL-9-SZ-9503.

- e. The said motorcycle was recovered and it was discovered that the said motorcycle had been reported as stolen *vide E-Motor Vehicle Theft ("MVT") FIR 26160/2024*, dated 31st August, 2024. Consequently, the said vehicle was taken into police custody.
- f. Upon a cursory search of Sh. Dipanshu, a black pistol along with magazine of four live rounds, a black magazine containing five live rounds, Rs. 15,000/- in cash, some clothing and an empty shell casing were recovered. Whereas, upon cursory search of Sh. Gaurav Dhania, three country-made pistols, five live cartridge rounds, Rs. 5,000/- in cash and some clothing were recovered. Seizure Memos were duly prepared.
- g. Accordingly, Sh. Dipanshu and Sh. Gaurav Dhania were arrested on 15th February, 2025. The said accused persons were remanded to police custody by the Trial Court, and were subsequently remanded to judicial custody on 19th February, 2025. Acting upon the information provided by the accused persons, the police conducted a search for the applicant at every possible location, however, he could not be found.
- h. During the course of investigation, information was received that the applicant, i.e., Sh. Bhola Shankar, was arrested by the Crime Branch, NR-II, Rohini, Delhi, pursuant to a *Kalandara* under Section 35(1)(c) of the BNSS.
- i. The applicant was duly arrested in connection with the present FIR after obtaining the requisite permission from the Trial Court. During the course of investigation, the looted cash was recovered from the



house of the sister of the applicant's girlfriend.

5. The latest Nominal Roll dated 22nd September, 2026, furnished by the Jail Authorities, shows that the applicant has been in custody since 27th February, 2025, being calculated from the date of admission, i.e., for 01 year and 06 months and 24 days, as on 22nd September, 2026.
6. The said Nominal Roll also discloses 03 FIRs, pending adjudication against the applicant, being as follows:
 - a. *FIR 157/2024* under Section 111 of the BNS read with Section 25(1-B) of the Arms Act, registered at PS Pillukhera, Jind, Haryana;
 - b. *FIR 146/2024*, registered at PS Pillukhera, Jind, Haryana;
 - c. *FIR 151/2024* dated 02nd June, 2024, under Section 25 of the Arms Act, registered at PS Baroda, Sonipat, Haryana.
7. Learned counsel appearing for the applicant has submitted that the other two co-accused have already been enlarged on bail. It is submitted that Sh. Gaurav Dhanias was granted bail on 06th June, 2025, while Sh. Dipanshu was granted default bail on 26th September, 2025.
8. He, thus, claims parity with the other two co-accused, in grant of bail.
9. Learned counsel for the applicant has submitted that the applicant is entitled to grant of default bail as the investigation in the present matter could not be completed within a period of 02 months, however, four bail applications on behalf of the applicant have been rejected.
10. He submits that the primary ground for rejection of the said bail applications was the previous involvement of the applicant in other 04 criminal cases/FIRs. However, it is submitted, that the applicant has not even been named in the FIRs in 03 cases and was only arrested based on the disclosure statements made therein, whereas, in one of the FIRs, the



applicant has already been acquitted.

11. Learned counsel appearing for the applicant has informed this Court that while in one of the FIRs, the applicant has already been acquitted, in the other three FIRs the applicant has been granted bail.

12. By way of the present application, it has been submitted that investigation in the present matter has already been completed and the Chargesheet has also been filed. Therefore, it is submitted that no purpose will be served by keeping the applicant in judicial custody.

13. It is also the case of the applicant that the applicant is of very young age, i.e., 27 years, who has old aged parents, a wife and two minor children. The applicant is at the verge of vagrancy as there is no earning member in the family, and his savings have been exhausted immensely due to the incarceration.

14. *Per Contra*, Learned Additional Public Prosecutor (“APP”) for the State has vehemently opposed the present application on the ground that applicant is the master mind of the whole crime.

15. The prosecution has placed on record a Status Report dated 06th July, 2026, from which the case of the prosecution emerges, as follows:

- a. During the course of investigation, Sh. Dipanshu and Sh. Gaurav Dhanias were apprehended on 15th February, 2025, and both the accused confessed their involvement and commission of the offence along with a third accomplice, i.e., the applicant, Sh. Bhola Shankar.
- b. Subsequently, the applicant was also apprehended and a looted amount of Rs. 2,00,000/- along with foreign currency notes was seized and recovered at the instance of the applicant.
- c. During the course of investigation, Sh. Dipanshu had confessed that



he had fired one round from his pistol while escaping from the spot of the robbery and had taken away the fired cartridge, which was recovered from his possession.

- d. The applicant is the prime conspirator of the whole crime committed in the present case, and the looted amount and currency notes were also recovered at his instance. Furthermore, the applicant had aided the other two co-accused in commission of the crime, in the present case.
- e. The applicant is not a permanent resident of Delhi and may jump bail, if released. Further, he may influence the witness(s) and tamper with evidence. The applicant has been mentioned in 03 previous involvements in FIRs under the Arms Act.

16. Learned APP for the State submits that the other two co-accused of the applicant, namely, Sh. Dipanshu and Sh. Gaurav Dhanias, were arrested on 15th February, 2025, and the said co-accused gave their disclosure that they committed the robbery in conspiracy with the applicant. Thus, the applicant was also arrested on 22nd February, 2025.

17. It is also the case of the prosecution, that the looted money and currency notes were recovered on 22nd March, 2025, at the instance of the applicant, i.e., from the house of residence of the sister of the applicant's girlfriend, now his wife.

18. The prosecution has put forth that the other two co-accused had been granted default bail, and therefore, there is no parity, which the applicant can claim, with the other two co-accused.

19. He has further submitted before this Court that Sh. Gaurav Dhanias was granted bail as he was a first-time offender. While, on the other hand,



there are four FIRs which have been lodged against the applicant under the Arms Act and illegal arms have also been recovered from the applicant.

20. Having heard learned counsels appearing for the parties, this Court notes, at the outset, that the other two co-accused, who actually committed the robbery have already been granted bail. Furthermore, it has come to the fore that the applicant had a supporting role in the robbery, in that the applicant drove the vehicle in which the co-accused escaped after committing the robbery.

21. It is also to be noted that during the robbery one gunshot was fired by one of the other two co-accused. Furthermore, recovery of firearms was made at the behest of the other two co-accused. One pistol was recovered from Sh. Gaurav Dhania, while, three pistols were recovered from Sh. Dipanshu.

22. It is pertinent to note that the other two co-accused, who appear to have greater role in the robbery have already been released on bail. This is a relevant factor to be considered for the applicant to be released on bail in the present case. Thus, in parity, the applicant is also entitled to be released on bail.

23. The applicant has already been in custody since 22nd February, 2025. Furthermore, there is every likelihood for the trial to stretch over a period of time as charges are yet to be framed, and arguments on charges are still being advanced. Thus, the trial is unlikely to conclude in the near future.

24. For the aforesaid reasons, it is directed that the applicant be released on regular bail in connection with *FIR 88/2025*, under Sections 311/317(2)/3(5) of the BNS and 25/27 of the Arms Act, registered at PS Vasant Kunj North, South West, Delhi, subject to furnishing a personal bond



in the sum of Rs. 50,000/-, with one surety in the like amount, to the satisfaction of the Duty Magistrate/Trial Court, and subject to the following further conditions:

- a. The applicant shall appear before the Trial Court on each and every date of hearing;
- b. The applicant shall provide his permanent address to the Trial Court, and also the address where he is residing during the pendency of the case. The applicant shall intimate the Investigating Officer (“IO”), and file an Affidavit before the Trial Court regarding any change in residential address;
- c. The applicant shall provide his mobile number to the concerned IO/Station House Officer (“SHO”), which shall be kept in working condition at all times. The mobile number shall not be switched off or changed without prior intimation to the IO during the pendency of the trial;
- d. The applicant shall report to the jurisdictional PS on every Monday at 09:00 AM, and shall be released, within two hours after completion of formalities;
- e. The applicant 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 of the case, in any manner whatsoever. The IO is directed to monitor the situation and, in the event of any complaint being made, to inquire into the same in accordance with law;
- f. The applicant shall not commit any offence during the period of his release.



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25. It is clarified that any observations made in the present order are solely for the purpose of deciding the present bail application, and shall not be construed as an expression of the opinion on the merits of the case. Further, they shall not influence the proceedings before the Trial Court.

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

27. The present bail application is allowed and accordingly disposed of in the aforesaid terms.

MINI PUSHKARNA, J

SEPTEMBER 24, 2026

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