HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 10558/2024

Parmal S/o Raghunandan, Aged About 22 Years, R/o Dhimri, P.S. Sadar Bari, District Dholpur, Presently Residing Behind Mata Ka Mandir Bari, P.S. Kotwali Bari, District Dholpur (Raj.). (Presently Residing At District Jail, Dholpur).

----Accused-Petitioner

Versus

State Of Rajasthan, Through PP

----Respondent

For Petitioner(s)	:	Ms. Gauri Meena, Adv.
For Respondent(s)	:	Mr. M.S. Shekhawat, PP

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

11/12/2024

1. The instant bail application has been filed under Section 483 of BNSS on behalf of the petitioner, who has been arrested in connection with FIR No.270/2024 registered at Police Station Nihalganj, District Dholpur for the offences under Section 379 of IPC.

2. It is contended by learned counsel for the petitioner that the accused-petitioner has falsely been implicated in this case. Learned counsel submits that alleged offences are triable by Magistrate and maximum sentence for the alleged offences is three years. Learned counsel further submits that charge-sheet has already been filed and trial of the case will take considerable time. Learned counsel prays that the petitioner is in custody since

31.07.2024 and further custody of the petitioner would not serve any fruitful purpose.

3. Learned Public Prosecutor opposes the submissions made by the learned counsel for the petitioner. He submits that five other cases have been registered against the petitioner.

4. I have considered the contentions.

5. Having regard to the totality of the facts and circumstances of the case; considering the arguments advanced by learned counsel for the petitioner, especially the fact that alleged offences are triable by Magistrate; charge-sheet has been filed and trial will take time in its conclusion as well as looking to the period of custody, but without commenting anything on the merits/demerits of the case, I deem it proper to allow the bail application.

6. This bail application is accordingly allowed and it is directed that accused-petitioner – **Parmal S/o Raghunandan** shall be released on bail provided, he furnishes a personal bond in the sum of Rs.50,000/- (Rupees Fifty Thousand Only) together with two sureties in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) each to the satisfaction of the learned trial Court with the stipulation that he shall appear before that Court and any Court to which the matter is transferred, on all subsequent dates of hearing and as and when called upon to do so.

7. However, it is made clear that the petitioner shall not involve in similar offence(s) during currency of bail granted by this Court. The petitioner is further directed to mark his presence in the concerned police station once (1st Monday) in every three months, till trial is concluded.

8. If breach of any of these conditions is reported or come to the notice of the Court, the same shall alone be a reason for the trial Court to cancel the bail granted to petitioner by this Court.

9. Office is directed to send copy of this order forthwith to the accused petitioner through concerned Jail Superintendent. Office is also directed to send copy of this order to the concerned trial Court forthwith. After receiving copy of this order, the learned trial Court shall intimate the accused petitioner regarding this bail granting order.

(ANIL KUMAR UPMAN),J

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