HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Misc. Second Bail Application No. 12723/2024

Munesh Meema @ Munni S/o Shri Chotte Lal Meena, Aged About 32 Years, R/o Village Santha, Police Station Mahuwa, District Dausa (Raj.) At Present Resident Of Plot No. A-20 Mithila Vihar Near Airpot Jagatpura Jaipur District Jaipur (Raj.) (At Present In Central Jail Jaipur)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s)	:	Mr. Trilok Singh Meena Mr. Manish Sharma Kamdar
For Respondent(s)	:	Ms. Manju Dave, PP

HON'BLE MR. JUSTICE PRAVEER BHATNAGAR

Order

16/12/2024

1. The first bail application of the accused-petitioner was dismissed by this Court vide order dated 25.09.2024. Thus, this second bail application has been preferred under Section 483 B.N.S.S. on behalf of the accused-petitioner. The accused-petitioner has been arrested in connection with FIR No.843/2023 registered at Police Station Kanota, District Jaipur City (East) for the offence(s) under Section 365 of IPC.

2. Learned counsel for the accused-petitioner submits that the accused-petitioner has falsely been implicated for offences under Sections 365, 302, 201 and 120B of IPC in this case. It is contended that there was a dispute between deceased Sushila Devi with her husband, the co-accused Mragendra Rav @

Bholuram. It is also contended that the accused-petitioner was not aware that co-accused hatched a conspiracy with the other co-accused to kill the deceased after kidnapping her. It is also contended that a Maruti Suzuki Swift bearing No. RJ14-TE-7330 was booked online and the accused-petitioner was the owner of the said car, petitioner provided this vehicle to the co-accused and he was not aware that his vehicle will be used for kidnapping the deceased Sushila Devi and thereafter, killing her. It is also contended that after kidnapping the deceased, the co-accused Santosh, Rahul, Vikas and Manish went with the deceased in his car bearing No. RJ14-TE-7330. There is no evidence to the fact that the accused-petitioner was involved in hatching the conspiracy to kidnap and thereafter, to kill the deceased. There is no call details transpired between the accused-petitioner and the other co-accused, prior to the incident. It is also contended that the main allegations of causing murder of deceased Sushila Devi are against the other co-accused namely Mragendra Rav @ Bholuram, Santosh, Rahul, Vikas and Manish. Petitioner is in custody since long and trial of the case is not likely to be concluded in near future, therefore, the second bail application of the accused-petitioner may be allowed.

3. Learned Public Prosecutor vehemently opposes the second bail application and contends that the accused-petitioner along with other co-accused conspired and abducted the deceased Sushila Devi in his Swift Car bearing No. RJ14-TE-7330. It is also contended that the accused-petitioner and other co-accused kidnapped the deceased and took away her in the above said car

and caused murder of deceased by strangulating her neck. The evidence shows that the present petitioner's vehicle was used for abduction of the deceased and thereafter, causing her murder, therefore, considering the gravity of the offence, the second bail application of the accused-petitioner may be dismissed.

4. Heard and perused the material available on record.

5. It is not desirable to comment anything on merits of this case. The contents of the charge-sheet shows that the petitioner's vehicle was used for abduction of the deceased and thereafter her murder was caused, the petitioner was the owner of the said vehicle and at the time of incident he was present at the place of occurrence. The charge-sheet also shows that the accused-petitioner after providing his vehicle, went from the place of occurrence and allowed his vehicle to be used for abducting the deceased and the deceased later on strangulated to death, by the other co-accused Mragendra Rav @ Bholuram, Santosh, Rahul, Vikas and Manish, therefore, considering the above facts, I am not inclined to enlarge the accused-petitioner on second bail

6. Accordingly, this second bail application of the accused-petitioner is hereby dismissed.

(PRAVEER BHATNAGAR),J

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