HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 12967/2024

Hanif @ Ranu S/o Mohammad Rahesh, Aged About 35 Years, R/o Gali No. 09, House No. 09, Molana Ziauddin Colony, Char Darwaja, Police Station Ramganj, Jaipur. Presently Tenant At Gani Ka Makkan No. 532, Bandari Ka Nashik, Khandaro Ka Mohalla, Police Station Subhash Chowk, Jaipur. (Presently In Central Jail At Jaipur).

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s)	:	Mr. Rajendra Singh Tanwar
For Respondent(s)	:	Mr. N.S. Dhakar, PP

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

20/12/2024

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.135/2024 registered at Police Station Nahargarh Road, District Jaipur City for the offence punishable under Section 380 of IPC. Later on, police filed charge-sheet for the offences punishable under Sections 380 & 457 of IPC.

2. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. Counsel submits that alleged offences are triable by magistrate. Petitioner is in custody since 19.08.2024. Charge-sheet has been filed and trial of the case will take considerable time. Further custody of the petitioner would not serve any fruitful purpose.

3. Learned Public Prosecutor opposes the submissions made by counsel for the petitioner. He submits that petitioner is a habitual offender as 27 other cases have been registered against him.

4. At this stage, learned counsel for the petitioner submits that in six cases, petitioner has been acquitted by the learned trial court.

5. I have considered the contentions.

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

7. This bail application is accordingly allowed and it is directed that accused-petitioner **Hanif @ Ranu S/o Mohammad Rahesh,** 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.

8. The observation made hereinabove is only for decision of the instant bail application and would not have any impact on the trial of the case in any manner.

9. It is made clear that the accused-petitioner shall not involve

in any other offence(s) during currency of the bail and he shall mark his presence on 1st & 15th day of every month in the concerned police station.

10. If any breach 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 him by this Court.

(ANIL KUMAR UPMAN),J

GAUTAM JAIN /578