**HIGH COURT OF JUDICATURE FOR RAJASTHAN**
**BENCH AT JAIPUR**

S.B. Criminal Miscellaneous Bail Application No. 13160/2024

Ganpat Singh S/o Bhanwar Singh, R/o 49 Kotda Kachchi Basti, Police Station Christionganj, District Ajmer (Raj.) (At Present In Central Jail, Ajmer).

----Petitioner

Versus

State Of Rajasthan, Through PP

----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 13289/2024

Manju Modi W/o Late Govind Modi S/o Banshilal, Aged About 47 Years, R/o 3 A 16 Chandrashekar Azad Nagar, Police Station Pratapnagar, District Bhilwara. (Accused Petitioner Confiend At Mahila Sudhar Garah, Ajmer).

----Petitioner

Versus

State Of Rajasthan, Through PP

----Respondent

S.B. Criminal Miscellaneous Bail Application No. 13290/2024

Hari Singh S/o Beeram Singh, Aged About 45 Years, R/o Daftari Ka Badiya, Gram Kesarpura, Tehsil Pisangan, Police Station Mangliyawas, District Ajmer (Raj.) (At Present Confined In Jail Beawar).

----Petitioner

Versus

State Of Rajasthan, Through PP

----Respondent

S.B. Criminal Miscellaneous Bail Application No. 13292/2024

Niyamat Ali S/o Murad Khan, Aged About 45 Years, R/o 502, Magra Wali Guwadi, Village Baadiya, Hatundi, Ajmer, Police Station Adarsh Nagar, District Ajmer ( Presently Languishing In Beawar Jail ).

----Petitioner

Versus

State Of Rajasthan, Through The Public Prosecutor.

----Respondent

---

| | | |
|---|---|---|
| For Petitioner(s) | : | Mr. Vijay Singh for<br>Mr. Shyam Bihari Gautam<br>Mr. Harshit Mittal<br>Mr. Chandra Shekhar<br>Mr. Naveen Dhuwan<br>Mr. Anil Sharma<br>Mr. Pradeep Kumar |
| For Respondent(s) | : | Mr. N.S. Dhakar, PP |
| For Complainant(s) | : | Mr. Vishal Gurjar<br>Mr. Anirudh Tyagi |

---

**HON'BLE MR. JUSTICE ANIL KUMAR UPMAN**

**Order**

**20/12/2024**

1. The instant bail applications have been filed under Section 483 of BNSS, on behalf of the petitioners, who have been arrested in connection with FIR No.824/2023 registered at Police Station Beawar City, District Beawar (Raj.) for the offences punishable under Sections 420 & 406 of IPC. During investigation, offences punishable under Sections 420, 406, 467, 468, 471 & 120B of IPC have been found proved against the petitioners.

2. It is contended by learned counsel for the petitioners that the accused-petitioners have falsely been implicated in this case. Counsel submits that except petitioner Hari Singh, other petitioners are not named in the FIR. Counsel submits that allegation against the petitioner Hari Singh is of petty nature as he received Rs.5,00,000/- ( Five Lakh Rupees) on behalf of the main accused of this case namely Gulab. Counsel submits that complainant of this case has entered into compromise with the

main accused Gulab. Counsel submits that alleged offences are triable by the Magistrate. Petitioners Hari Singh & Niyamat Ali are in custody since 28.09.2024 and petitioners Manju Modi & Ganpat Singh are in custody since 30.09.2024. Counsel further submits that investigation is also complete and further custody of the petitioners would not serve any fruitful purpose.

3. Learned Public Prosecutor as well as counsel for the complainant opposes the submissions made by the counsel for the petitioners. Counsel for the complainant submits that no compromise has been arrived between the complainant and the main accused Gulab. He further submits that except petitioner Ganpat Singh, there are some other cases have been registered against rest of the petitioners.

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 both the parties, especially the fact that except Hari Singh, petitioners are not named in the FIR; role attributed to the petitioner Hari Singh in the FIR; nature of allegation; alleged offence is triable by Magistrate; looking to the custody period, but without commenting anything on the merits/demerits of the case, I deem it proper to allow these bail applications.

6. These bail applications are accordingly allowed and it is directed that accused-petitioners – **Ganpat Singh S/o Bhanwar Singh, Manju Modi W/o Late Govind Modi, Hari Singh S/o Beeram Singh & Niyamat Ali S/o Murad Khan** shall be released on bail provided, each of them 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 each of them 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. It is made clear that the accused-petitioners shall not involve in any other offence(s) during currency of the bail and they shall mark their presence on first week of every three month in the concerned police station.

8. Concerned SHO is directed to maintain a register recording the attendance of the petitioners. In case the petitioners fail to mark their presence in the concerned police station, the concerned SHO is directed to immediately report the matter to the concerned Court in this regard.

9. 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 them by this Court.

(ANIL KUMAR UPMAN),J

LALIT MOHAN /587-590