HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 15342/2024

Jeetu @ Kamal @ Bucharya S/o Sitaram, Aged About 22 Years, R/o Village Piprai (Hatampur), P.s. Sarai Chhola, Morena, District Morena (Mp), Presently R/o Badakheda, P.s. Lakheri, District Bundi (Rajasthan) (Presently Confined In District Jail Sawai Madhopur).

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s)	:	Mr. Umesh Dixit
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.143/2024 registered at Police Station Soorwal, District Sawai Madhopur (Raj.) for the offences punishable under Section 305(A) & 331(4) of BNS.

2. It is contended by learned counsel for the petitioner that the accused-petitioner has falsely been implicated in this case. Learned counsel submits alleged offence is triable by Magistrate. Counsel submits that charge-sheet has been filed in this matter. Petitioner is in custody since 24.10.2024. Further custody of the petitioner would not serve any fruitful purpose.

3. Learned Public Prosecutor opposes the submissions made by the counsel for the petitioner. He submits that petitioner is

habitual offenders and 9 other cases have been registered against the accused-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 learned counsel for the petitioner, especially the fact that alleged offences are triable by Magistrate; charge-sheet have been filed in this matter; looking to the custody period, 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 **Jeetu @ Kamal @ Bucharya S/o Sitaram** 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. It is made clear that the accused-petitioner shall not involve in any other offence(s) during currency of the bail and they shall mark their presence on first Monday of every month in the concerned police station.

8. 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.

09. The SHO concerned is directed to maintain a register recording attendance of the accused, as mentioned above. In case, the petitioner fails to mark his attendance as mentioned above, the SHO shall intimate the trial court immediately.

10. 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.

(ANIL KUMAR UPMAN),J

ANAND TANWAR /50