HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 14904/2024

Subhash S/o Gajanand, Aged About 27 Years, R/o Gadarwada Noorji, Police Station Sarola, District Jhalawar, Presently Khandiya Colony, Jhalawar, Police Station Kotwali, Jhalawar. (At Present Confined In District Jail Jhalawar).

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 15614/2024

Ashish @ Ashu S/o Shri Siyaram, Aged About 21 Years, R/o Khandiya Colony, Jhalawar, Police Station Kotwali, Jhalawar, District Jhalawar (Raj.) (At Present Confined In District Jail, Jhalawar).

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

S.B. Criminal Miscellaneous Bail Application No. 15677/2024

Sameer @ Bittu S/o Suresh, Aged About 19 Years, R/o Khandiya Colony, Jhalawar, Police Station Kotwali Jhalawar, District Jhalawar, Presently House Of Rent Subhash Jagarwal Raipura, Police Station Udyog Nagar, Kota, District Kota. (At Present Confined In District Jail Jhalawar).

----Petitioner

Versus

State Of Rajasthan, Through PP

----Respondent

For Petitioner(s)	:	Mr. Mukesh Pal Jadoun Mr. Anshuman Saxena through V.C.,
For Respondent(s)	:	Mr. Amit Punia, PP

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN
Order

11/12/2024

1. These 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.717/2024 registered at Police Station Kotwali, District Jhalawar (Raj.) for the offences punishable under Sections 333, 115(2), 126(2), 308(3), 309(4), 119(1) of BNS & Section 3(2)(va) of SC/ST Act. During investigation, offences punishable under Sections 191(2), 333, 115(2), 126(2), 119(1), 111(2) of BNS & Section 3-1(r)(s) & 3-2(va) of SC/ST Act 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. Learned counsel submits that petitioners are in custody since their date of arrest. Counsel submits that except two cases which have been registered against the petitioners namely Ashish @ Ashu & Sameer, there are no criminal antecedents against the petitioners. They submit that petitioner-Sameer is on bail in both the cases. Further custody of the petitioners would not serve any fruitful purpose.

3. Learned Public Prosecutor opposes the bail applications. He submits that two other cases have been registered against the petitioners- Ashish @ Ashu & Sameer @ Bittu.

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 petitioners; looking to the custody period, but without commenting anything on the merits/demerits of the case, I deem it proper to allow the bail applications.

6. These bail applications are accordingly allowed and it is

directed that accused-petitioners – **1) Subhash S/o Gajanand**, **2) Ashish @ Ashu S/o Shri Siyaram & 3) Sameer @ Bittu S/o Suresh** 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 they 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- Ashish @ Ashu & Sameer @ Bittu shall not involve in any other offence(s) during currency of the bail and they shall mark their presence on once in three months 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.

9. Office is directed to send copy of this order forthwith to the accused petitioners 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

GAUTAM JAIN /295-297