HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 15767/2024

Rakesh Mathur S/o Late Shri Omchand Mathur, Aged About 40 Years, R/o 25-F-20, Chaupasni Housing Board, Nandan Van, Police Station Chaupasani Housing Board, Jodhpur, Rajasthan. (At Present Confined In Central Jail Jaipur, District Jaipur).

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s)	:	Mr. Mukesh Kumar Saini, Mr. Vishnu Shankar Badaya
For Respondent(s)	:	Mr. S.R. Dhakar, PP

HON'BLE MR. JUSTICE PRAVEER BHATNAGAR

Order

20/12/2024

1. The instant bail application has been filed under Section 483 BNSS on behalf of accused-petitioner. The accused-petitioner has been arrested in connection with FIR No.48/2024 registered at Police Station Special Crime & Cyber Crime Police Station, Commissionerate Jaipur, District Deputy Commissioner of Police-Crime-Commissionerate, Jaipur for the offences under Sections 420, 419 & 406 of IPC and Sections 66(C) & 66(D) of IT Act.

2. Learned counsel for the accused-petitioner submits that the accused-petitioner has falsely been implicated in this case. He further submits that the entire amount of Rs.4,50,000/- was credited in the account of co-accused Ashok Kumar and not in the account of Rakesh. The matter is exclusively triable by Magistrate.

The accused-petitioner is in custody since long and the trial/investigation of the case may take considerable time, therefore, the bail application of the accused-petitioner may be allowed.

3. Learned Public Prosecutor vehemently opposes the bail application.

4. Heard and perused the material available on record.

5. Considering the fact that the main allegation of cheating the complainant is against the other co-accused Ashok Kumar and the entire amount of Rs.4,50,000/- was also deposited in the account of co-accused Ashok Kumar. The matter is exclusively triable by Magistrate and trial/investigation of the case may take considerable time, thus, without commenting anything on the merits of the case, I deem it just and proper to enlarge the accused-petitioner on bail.

6. Accordingly, the bail application under Section 483 BNSS is allowed and it is ordered that the accused-petitioner **Rakesh Mathur S/o Late Shri Omchand Mathur** in connection with FIR No.48/2024 registered at Police Station Special Crime & Cyber Crime Police Station, Commissionerate Jaipur, District Deputy Commissioner of Police-Crime-Commissionerate, Jaipur shall be enlarged on bail provided he furnishes a personal bond in the sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the learned trial Judge for his appearance before the court concerned on all the dates of hearing and as and when called upon to do so.

(PRAVEER BHATNAGAR), J

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