HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 4350/2024

Jeetu S/o Pannalal, Aged About 23 Years, R/o Rau Nagar, Roopawas, P.s. Sadar, Dist. Pali (Raj.) (At Present Lodged In Dist. Jail Pali).

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s) : Mr. Shekhar Mewara
For Respondent(s) : Mr. A.R. Choudhary, Dy.G.A.

HON'BLE MR. JUSTICE FARJAND ALI

Order

09/04/2024

1. The jurisdiction of this Court has been invoked by way of filing an application under Section 439 Cr.P.C. at the instance of accused-petitioner. The requisite details of the matter are tabulated herein below:

S.No.	Particulars of the Case	
1.	FIR Number	38/2024
2.	Concerned Police Station	Excise Pali
3.	District	Pali
4.	Offences alleged in the FIR	Under Sections 19/54 and 58 C of Rajasthan Excise Act
5.	Offences added, if any	-
6.	Date of passing of impugned order	03.04.2024

2. It is contended on behalf of the accused-petitioner that the offences alleged are triable by a Court of magistrate. No case for the alleged offences is made out against him and his incarceration is not warranted. There are no factors at play in

the case at hand that may work against grant of bail to the accused-petitioner and he has been made an accused based on conjectures and surmises.

3. Contrary to the submissions of learned counsel for the petitioner, learned Public Prosecutor opposes the bail application and submits that the present case is not fit for enlargement of accused on bail.

4. I have considered the submissions made by both the parties and have perused the material available on record. The offences alleged are triable by a Court of magistrate. There is high probability that the trial may take long time to conclude. In light of these facts and circumstances, it is deemed suitable to grant the benefit of bail to the petitioner in the present matter.

5. Accordingly, the instant bail application under Section 439 Cr.P.C. is allowed and it is ordered that the accused-petitioner as named in the cause title 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 as and when called upon to do so.

(FARJAND ALI),J

653-divya/-