HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 11015/2024

Ramniwas S/o Hakam Singh, Aged About 23 Years, R/o Chaiya, Tehsil Awatsar, Dist. Hanumangarh,raj.
(At Present Lodged In Sub Jail, Rawatsar)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s)	:	Mr. Kuldeep Sharma
For Respondent(s)	:	Mr. Sharwan Singh Rathore, PP

HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI
Order

13/01/2025

1. The petitioner has been arrested in FIR No.146/2019 Police Station Rawatsar, District Hanumangarh for the offences punishable under Sections 458, 307, 195-A, 336, 504 & 120-B of IPC and Sections 2/25 & 27 of the Arms Act. He has preferred this bail application under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 read with 439 Cr.P.C.

2. Learned counsel for the petitioner has drawn attention of this Court towards the cross-examination of PW-1 Jagdish @ Raju Saini, wherein he has not supported the prosecution’s story. He further submits that co-accused Mahendra Poonia has already been granted bail by this Court in S.B. Criminal Misc. Bail Application No.6795/2022, decided on 30.05.2022. The petitioner is in custody since 01.05.2019.

3. Learned Public Prosecutor opposes the bail application and submits that there are grave criminal antecedents against the

petitioner however, he could not deny that the petitioner is in custody since 01.05.2019.

4. Heard learned counsel for the parties as well as perused the material available on record.

5. Having regard to the totality of the facts and circumstances of the case, considering the statement of PW-1 and looking to the prolonged custody of the petitioner as also the fact that conclusion of the proceedings is likely to take some time and without expressing any opinion on the merits of the case, this Court deems it just and proper to grant bail to the accused petitioner under Section 439 Cr.P.C.

6. Accordingly, this bail application filed under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 read with 439 Cr.P.C. is allowed and it is directed that petitioner **Ramniwas S/o Hakam Singh** shall be released on bail in connection with FIR No.146/2019 Police Station Rawatsar, District Hanumangarh provided he executes a personal bond in a sum of Rs.50,000/- with two sound and solvent sureties of Rs.25,000/- to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(DR.PUSHPENDRA SINGH BHATI),J

20-nirmala/-