HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 13863/2024

1. Swaroopsingh S/o Kacchabsingh @ Kashayap, Aged About 23 Years, R/o C. No 01 Cd Gram Pamchayat Cheel Kashmiri, P.s. Ranjeetpura Dist Bikaner. (Presently Lodged In Central Jail Bikaner)
2. Dinesh Kumar S/o Dhudra Ram, Aged About 28 Years, R/o Soudolai P.s. Ranjeetpura Dist. Bikaner (Presently Lodged In Central Jail Bikaner)

----Petitioners

Versus

State Of Rajasthan, Through Pp

----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 13864/2024

Yogendra S/o Bhura Ram, Aged About 22 Years, R/o 68Rd Shastri Nagar P.s. Bajju Dist. Bikaner (Presently Lodged In Central Jail Bikaner)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s)	:	Mr. Ashok Kumar Mr. S.R. Godara
For Respondent(s)	:	Mr. Sharwan Singh Rathore, P.P.

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

21/01/2025

1. These applications for bail under Section 483 BNSS have been filed by the petitioners who have been arrested in connection with F.I.R. No.66/2024 registered at Police Station Dantaur,

District Bikaner for offences under Sections 310(2), 308(2), 115(2), 351(2) & 189(2) of BNS and Section 3 of PDPP Act.

2. Learned counsel for the petitioners submitted that as per the prosecution, the petitioners had looted a sum of Rs.10,000/- from Toll Plaza situated in Sanwara by putting the employees working at Toll Plaza under the threat/fear of death. Learned counsel submitted that the petitioners have been falsely implicated in the present case. Drawing attention of the Court towards the challan papers, learned counsel for the petitioners submitted that in the alleged incident which occurred in the investigating night of 23.09.2024 and 24.09.2024, the injuries allegedly inflicted by the present petitioners upon the injured persons are simple in nature.

3. Lastly, learned counsel for the petitioners submitted that the petitioners are in judicial custody; challan against them has already been filed before the competent Criminal Court; no recoveries are due to be made from them and the trial of the case will take sufficiently long time, therefore, the benefit of bail may be granted to the accused-petitioners.

4. *Per Contra*, learned Public Prosecutor has opposed the bail application and submitted that looking to the seriousness of allegations levelled against the present petitioners, the petitioners do not deserve to be enlarged on bail. However, he was not in a position to refute the fact that the investigation against the present petitioners has already been completed.

5. Heard learned counsel for the petitioners and learned Public Prosecutor. Perused the material available on record.

6. Having considered the rival submissions, facts and circumstances of the case, without expressing any opinion on merits/demerits of the case, this Court is of the opinion that the bail applications filed by the petitioners deserve to be accepted.

7. Consequently, these bail applications under Section 483 of BNSS are allowed. It is ordered that the accused-petitioners **Swaroopsingh S/o Kacchabsingh @ Kashayap, Dinesh Kumar S/o Dhudra Ram** and **Yogendra S/o Bhura Ram,** arrested in connection with F.I.R. No.66/2024 registered at Police Station Dantaur, District Bikaner shall be released on bail, if not wanted in any other case, provided each of them furnishes a personal bond of Rs.50,000/- and two sureties of Rs.25,000/- each, to the satisfaction of learned trial court, for their appearance before that court on each & every date of hearing and whenever called upon to do so till completion of the trial.

(KULDEEP MATHUR),J

22-23-mohit/-