HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 15179/2024

Manish S/o Daula Ram, Aged About 22 Years, R/o Baori, P.s. Maulasar, Dist Deedwana, Kuchaman. (At Present Lodged In Sub Jail Merta)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 14571/2024

Suresh Kumar S/o Shri Mohanram, Aged About 23 Years, R/o Begpura, P.s.- Chitawa, Dist - Didwana- Kuchaman , Raj. (Lodged In Sub Jail , Didwana)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

S.B. Criminal Miscellaneous Bail Application No. 14572/2024

1. Mukesh Jhuriya S/o Bhanwarlal, Aged About 24 Years, R/o Aajwa, P.s. Didwana Dist Didwana Kuchaman . (Presently Lodged In Sub Jail Didwana)
2. Sunil Mirdha S/o Chenaram, Aged About 22 Years, R/o Dudoli, P.s. Didwana Dist Didwana Kuchaman. (Presently Lodged In Sub Jail Didwana)

----Petitioners

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s)	:	Mr. Sanjay Bishnoi Mr. Ram Prakash Dudy Mr. Manoj Kumar Mr. S.R. Godara Mr. Ashok Kumar
For Respondent(s)	:	Mr. Prem Singh Panwar, PP

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

21/01/2025

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.280/2024 registered at Police Station Deedwana, District Deedwana- Kuchaman, for the offences punishable under Sections 111(2)(b), 111(3), 111(4), 111(6), 317(2), 317(5), 318(4), 61(2)(b) of BNS.

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

Learned counsel for the petitioners submitted that the petitioners have been falsely implicated in the present case. Learned counsel submitted that the allegation against the present petitioners is of committing economic offences of illegally sending and converting money obtained by defrauding people from INR to Cryptocurrency through Binance mobile application. Learned counsel for the petitioners contended that the investigation against the petitioners has already been concluded and the challan against them has already been filed by the investigating agency before the competent criminal Court.

Lastly, learned counsel for the petitioners submitted that the petitioners are in judicial custody and the trial of the case will take sufficiently long time, therefore, the benefit of bail may be granted to the accused-petitioners.

Per contra, learned Public Prosecutor has vehemently opposed the bail applications.

Having considered the rival submissions, facts and circumstances of the case, this Court *prima facie* finds that the investigation against the petitioners has already been concluded and the prosecution has not shown any apprehension of the petitioner

influencing the remaining material prosecution witnesses or fleeing away from justice or tampering with the evidence, in case they are enlarged on bail. Thus, 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.

Consequently, these bail applications under Section 483 BNSS are allowed. It is ordered that the accused-petitioners **(1) Manish S/o Daula Ram, (2) Suresh Kumar S/o Shri Mohanram, (3) Mukesh Jhuriya S/o Bhanwarlal and (4) Sunil Mirdha S/o Chenaram** arrested in connection with F.I.R. No.280/2024 registered at Police Station Deedwana, District Deedwana-Kuchaman, 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.

It is however, made clear that findings recorded/observations made above are for limited purposes of adjudication of bail application. The trial court shall not get prejudiced by the same.

A copy of this order be placed in each file.

(KULDEEP MATHUR),J

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