HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 13798/2024

Raju Lal S/o Madan Lal, Aged About 25 Years, R/o Nadi Mohalla, Biliya Kala, P.s. Hamirgarh, Dist. Bhilwara (Raj.) (At Present Lodged In Dist Jail Bhilwara)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 15580/2024

Dinesh Singh S/o Madan Lal, Aged About 24 Years, R/o Biliya Kala, Kherabad, P.s. Hamirgarh, Dist. Bhilwara (Lodged In Dist. Jail, Bhilwara)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s)	:	Mr. Bhushan Singh Charan Mr. S.K. Bhati
For Respondent(s)	:	Mr. Ramesh Dewasi, PP

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

14/01/2025

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.142/2024, registered at Police Station Hamirgarh, Dist. Bhilwara, for the offences punishable under Sections 143, 147, 148, 149, 323, 341, 325, 307 and 384 of IPC and Section 4/25 of Arms Act.

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

Drawing attention of the Court towards the challan papes and the injury report of the Sampat, Satyanarayan, Geeta, Kalulal and Shanker, learned counsel for the petitioners submitted that in the alleged incident which occurred on 21.06.2024, the injuries allegedly inflicted by the petitioners upon the injured persons are though grievous in nature but not dangerous to life.

Learned counsel for the petitioners submitted that the petitioners have been falsely implicated in the present case. Learned counsel submitted that as a matter of fact, that on the date of alleged incident, a sudden fight erupt between the parties due to some property dispute between them and the petitioners had no motive to commit the alleged crime.

Lastly, learned counsel for the petitioners submitted that the petitioners are in judicial custody; investigation against them has already been completed 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. However, he was not in a position to refute the fact that the injuries allegedly caused by the petitioners to the injured persons are though grievous in nature but not dangerous to life. He was also not in a position to refute the fact that no recovery is pending from the present petitioners.

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.

Consequently, these bail applications under Section 483 BNSS are allowed. It is ordered that the accused-petitioners **(1) Raju Lal S/o Madan Lal and (2) Dinesh Singh S/o Madan Lal** arrested in connection with F.I.R. No.142/2024, registered at Police Station Hamirgarh, Dist. Bhilwara, 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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