**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR**

S.B. Criminal Miscellaneous Bail Application No. 15359/2024

Suresh S/o Parmaram, Aged About 22 Years, R/o Aachojayi, Tehsil Degana, Dist. Nagaur (At Present Lodged In Judicial Custody, Merta)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 15301/2024

1. Dinesh S/o Shrawan Ram, Aged About 20 Years, R/o Achhojai P.s. Padukallan Tehsil Degana Dist Nagaur. (At Present Lodged In Sub Jail , Merta)
2. Sahdev Ram S/o Bhalla Ram, Aged About 35 Years, R/o Achhojai P.s. Padukallan Tehsil Degana Dist Nagaur. (At Present Lodged In Sub Jail , Merta)
3. Kailash S/o Pancha Ram, Aged About 27 Years, R/o Achhojai P.s. Padukallan Tehsil Degana Dist Nagaur. (At Present Lodged In Sub Jail , Merta)
4. Birbal @ Habla Ram S/o Sawai Ram, Aged About 25 Years, R/o Achhojai P.s. Padukallan Tehsil Degana Dist Nagaur. (At Present Lodged In Sub Jail , Merta)
5. Shrawan Ram S/o Bhalla Ram, Aged About 50 Years, R/o Achhojai P.s. Padukallan Tehsil Degana Dist Nagaur. (At Present Lodged In Sub Jail , Merta)
6. Umesh S/o Pancha Ram, Aged About 20 Years, R/o Achhojai P.s. Padukallan Tehsil Degana Dist Nagaur. (At Present Lodged In Sub Jail , Merta)

----Petitioners

Versus

State Of Rajasthan, Through Pp

----Respondent

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| For Petitioner(s) | : | Mr. Ajay Singh Bhati<br>Mr. Ravindra Kumar |
| For Respondent(s) | : | Mr. Sharwan Singh Rathore, P.P. |

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**HON'BLE MR. JUSTICE KULDEEP MATHUR**

**Order**

**28/01/2025**

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.163/2024 registered at Police Station Padukala, District Nagaur, for the offences punishable under Sections 143, 341, 325, 323, 307 & 120-B of IPC.

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

3. Learned counsel for the petitioners submitted that the co-accused persons namely Babudi, Gora Devi Gorki, Sharda, Gaju Devi and Chotudi (S.B. Criminal Miscellaneous Bail Application No.8548/2024) have already been enlarged on bail by a co-ordinate Bench of this Court vide order dated 01.08.2024.

4. Drawing attention of the Court towards the FIR, challan papers, so also the statements of the injured recorded under Section 161 Cr.P.C., learned counsel for the petitioners further submitted that the case of the present petitioners is not distinguishable from that of the above named co-accused persons who have already been enlarged on bail; the petitioners are in judicial custody; the challan against the petitioners has already been filed before the competent Criminal Court and the trial of the case will take sufficiently long time, therefore, the benefit of bail may be granted to the accused-petitioners.

5. *Per contra*, learned Public Prosecutor has vehemently opposed the bail applications. However, he was not in a position to refute the fact that the above named co-accused persons have already been enlarged on bail.

6. Having considered the rival submissions, facts and circumstances of the case, this Court *prima facie* finds that the case

of the present petitioners is not distinguishable from that of the above named co-accused persons who have already been 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.

7. Consequently, these bail applications under Section 483 BNSS are allowed. It is ordered that the accused-petitioners **Suresh S/o Parmaram, Dinesh S/o Shrawan Ram, Sahdev Ram S/o Bhalla Ram, Kailash S/o Pancha Ram, Birbal @ Habla Ram S/o Sawai Ram, Shrawan Ram S/o Bhalla Ram** and **Umesh S/o Pancha Ram** arrested in connection with F.I.R. No.163/2024 registered at Police Station Padukala, District Nagaur shall be released on bail, if not wanted in any other case, provided each of them furnishes a personal bond of Rs.50,000/- (Rupees Fifty Thousand) and two sureties of Rs.25,000/- (Rupees Twenty Five Thousand) 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.

8. 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.

9. A copy of this order be placed in each file.

**(KULDEEP MATHUR),J**

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