HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 15627/2024

1. Omprakash Singh S/o Gokul Singh, Aged About 24 Years, R/o Kito Ki Badiya, Kamli Ghat, P.s. Devgarh, Dist Rajsamand (Raj.) ()Presently Lodged In Central Jail Udaipur
2. Shivdaya Salvi S/o Bhanwarlal, Aged About 21 Years, R/o Nai Abadi, Vijay Pura,p.s. Devgarh, Dist Rajsamand (Raj.) (Presently Lodged In Cnetral Jail Udaipur)

----Petitioners

Versus

State Of Rajasthan, Through Pp

----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 15031/2024

Deepak S/o Rajendra, Aged About 35 Years, R/o G-376, Vaibhav Nagar, Bhopalpura Road, P.s. Kotwali, Bhilwara, Dist Bhilwara (Raj.) (Petitioner Is Lodged In Jail Udaipur)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

S.B. Criminal Miscellaneous Bail Application No. 15628/2024

Laxman Singh S/o Meethu Singh, Aged About 24 Years, R/o Near Railway Station Gundaliya Kamli Ghat,p.s Devgarjh Dist Raj (Presently Lodged In Central Jail Udaipur)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s)	:	Mr. Ojas Shakdwipeeya Ms. Deepika Soni
For Respondent(s)	:	Mr. Urja Ram Kalbi, PP

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

15/01/2025

These applications for bail under Section 439 Cr.P.C. (483 BNSS) have been filed by the petitioners who have been arrested in connection with F.I.R. No.585/2024, registered at Police Station Sukher, District Udaipur, for offences under Sections 331(3), 309(6), 127(2), 74 and 3(5) of BNS.

Heard learned counsel for the parties at Bar. Perused the material available on record.

Drawing attention of the Court towards the challan papers, learned counsel for the petitioners submitted that the gold/silver ornaments allegedly looted by the petitioners have already been recovered by the Investigating Agency.

Learned counsel for the petitioners submitted that the petitioners do not have any criminal antecedents; they are in judicial custody; the challan against them 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.

Per contra, learned Public Prosecutor has vehemently opposed the bail application. However, he was not in a position to refute the fact that the gold/silver ornaments allegedly looted by the petitioners have already been recovered by the Investigating Agency.

Having considered the rival submissions, facts and circumstances of the case, without expressing any opinion on

merits/demerits of the case, this Court is inclined to enlarge the petitioners on bail.

Consequently, these bail applications under Section 439 Cr.P.C. (483 BNSS) are allowed. It is ordered that the accused-petitioners- **(1) Omprakash Singh S/o Gokul Singh, (2) Shivdaya Salvi S/o Bhanwarlal, (3) Deepak S/o Rajendra and (4) Laxman Singh S/o Meethu Singh,** arrested in connection with F.I.R. No.585/2024, registered at Police Station Sukher, District Udaipur, 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 applications. The trial Court shall not get prejudiced by the same.

(KULDEEP MATHUR),J

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