HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 15732/2024

Balkishan @ Baliya @ Devananad S/o Shri Bhagat Ram, Aged About 21 Years, R/o Behind Bhato Ka Bas, Vivel Bal Niketan School, P.S. Naya Shahar, Dist Bikaner. (At Present Lodged In Central Jail, Bikaner)

----Petitioner

Versus

State Of Rajasthan, Through PP

----Respondent

For Petitioner(s)	:	Mr. Sharad Rajpurohit
For Respondent(s)	:	Mr. P.K. Bhati, PP

HON'BLE MR. JUSTICE MANOJ KUMAR GARG

Order

30/01/2025

The petitioner has been arrested in connection with FIR No.293/2020 of Police Station Naya Shahar, Dist. Bikaner for the offence punishable under Sections 302, 307 and 34 of I.P.C. and Section 27 of Arms Act. He has preferred this bail application under Section 439 Cr.P.C. (Now 483 BNSS, 2023).

Counsel for the petitioner submits that the co-accused persons namely Subhash and Shivshankar @ Shivla have already been released on bail by this Court and case of the present accused-petitioner is similar to those of the co-accused. Counsel further submits that till date, only ten prosecution witnesses out of total 28, have been examined before the trial court and the accused-petitioner is in judicial custody since 31.08.2020. The trial of the case will take sufficient long time to be concluded.

Therefore, the benefit of bail should be granted to the accused-petitioner.

Learned Public Prosecutor has opposed the bail application.

Having regard to the totality of the facts and circumstances of the case, without expressing any opinion on the merits of the case, I deem it just and proper to grant bail to the accused petitioner under Section 439 Cr.P.C. (483 BNSS).

Accordingly, the bail application filed under Sec.439 Cr.P.C. (483 BNSS) is allowed and it is directed that petitioner Balkishan @ Baliya @ Devananad S/o Shri Bhagat Ram shall be released on bail in connection with FIR No.293/2020 of Police Station Naya Shahar, Dist. Bikaner provided he executes a personal bond in a sum of Rs.1,00,000/- with two sound and solvent sureties of Rs.50,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(MANOJ KUMAR GARG),J

41-GKaviya/-