HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 14224/2024

Sunil Kumar Daga S/o Late Babulal Daga, Aged About 53 Years, R/o Village Shekhsar, P.s. Kalu, Dist Bikaner , At Presemt W. No. 12, Indira Market, P.s. Loonkaransar, Dis Bikaner. (Presently Lodged In Central Jail , Bikaner.)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 14036/2024

Aasu Singh S/o Amar Singh, Aged About 60 Years, R/o Parwati Talai Delitalai, P.s. Dantor, Tehsil Pugal, Bikaner. (At Present Lodged In Central Jail , Bikaner)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

S.B. Criminal Miscellaneous Bail Application No. 15658/2024

Sahabram S/o Shri Rajaram, Aged About 44 Years, R/o 12-13 K.h.d. Charanwala,p.s. Ranjeet Pura, Tehsil Bajju Dist Bikaner (Raj) (At Present Lodged In Central Jail , Bikaner)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

S.B. Criminal Miscellaneous Bail Application No. 15827/2024

Ummed Ali S/o Late Aamdu Khan, Aged About 63 Years, R/o Chak 12 Bm, Village Gulamwala, Panchayat Jaggasar Bhaluri, At Present Panchayat Bicheri, Police Station Ranjeetpura, Bikaner. (At Present Lodged In Central Jail, Bikaner)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

S.B. Criminal Miscellaneous Bail Application No. 15828/2024

Rahim Khan S/o Nidan Khan, Aged About 34 Years, R/o Village Motasar, Ward No. 11, Tehsil Kolayat, Police Station Kolayat, Dist. Bikaner. (At Present Lodged In Central Jail, Bikaner)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

S.B. Criminal Miscellaneous Bail Application No. 15829/2024

Sadhak Khan S/o Noor Mohammad, Aged About 49 Years, R/o Chak - 12 Bm, Village Gulamwala, Panchayat Jaggasar Bhaluri, At Present Panchayat Bicheri, Police Station Ranjeetpura, Bikaner. (At Present Lodged In Central Jail, Bikaner)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s)	:	Mr. Vinit Kumar Jain, Sr. Adv. assisted by Mr. Harshvardhan Singh Rathore Mr. Hari Shankar Shrimali Mr. Anil Choudhary for Mr. Trilok Joshi Mr. Kaushal Gautam
For Respondent(s)	:	Mr. Prem Singh Panwar, PP Mr. Shree Kant Verma

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HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

03/01/2025

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.339/2024 registered at Police Station Sadar, District Bikaner for offences under Sections 420, 467, 468, 471 & 120-B of IPC.

Heard learned counsel for the petitioner, learned counsel for the complainant and learned Public Prosecutor. Perused the material available on record.

Drawing attention of the Court towards the FIR and challan papers, learned counsel for the petitioner submitted that the allegations against the petitioners that they had prepared forged documents in connivance with the employees of the Bajju SDM office and prepared fake allotment letters of the agricultural land. The further allegations against the petitioners is that they have used fake receipts, fake seals and fake signatures etc. of the officials of Bajju SDM/Tehsil office. As per the prosecution, the petitioners have usurped lakhs of rupees by committing fraud with the complainant and have caused wrongful loss to him. Learned counsel for the petitioner further submitted that the offences alleged to have been committed by the petitioners are triable by Court of Magistrate. Learned counsel submitted that the petitioners are in judicial custody; no recovery is due to be made from the present petitioners 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 and learned counsel for the complainant have vehemently opposed the bail applications. Learned counsel for the complainant submitted that the serious allegations of cheating, forgery of valuable security for the purpose of cheating, using the forged documents for illegal financial gains have been levelled against the petitioners, therefore, they do not deserve to be enlarged on bail. However,

he was not in a position to refute the fact that the offences alleged to have been committed by the petitioners are triable by Court of Magistrate.

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, the bail applications under Section 483 BNSS are allowed. It is ordered that the accused-petitioners **Sunil Kumar Daga S/o Late Babulal Daga, Aasu Singh S/o Amar Singh, Sahabram S/o Shri Rajaram, Ummed Ali S/o Late Aamdu Khan, Rahim Khan S/o Nidan Khan and Sadhak Khan S/o Noor Mohammad** arrested in connection with F.I.R. No.339/2024 registered at Police Station Sadar, District Bikaner 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.

(KULDEEP MATHUR),J

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