HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 15837/2024

Ajay @ Ajay Dev S/o Balraj, Aged About 19 Years, R/o 6 Stb At Present 18Sad, P.s. Sameja Kothi Dist. Anupgarh (At Present Lodged In Sub Jail, Raisinghnagar)

----Petitioner

Versus

State Of Rajasthan, Through PP

----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 15781/2024

Satpal @ S.P. S/o Gopi Ram, Aged About 28 Years, R/o 6Nzp,p.s. Sameja Kothi Dist Anupgarh (At Present Lodged In Sub Jail , Raisinghnagar)

----Petitioner

Versus

State Of Rajasthan, Through PP

----Respondent

For Petitioner(s)	:	Mr. Sunil Vishnoi. Mr. Rakesh Matoria.
For Respondent(s)	:	Mr. Urja Ram Kalbi, PP.

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

10/01/2025

These applications for bail under Section 483 of BNSS (439 Cr.P.C.) have been filed by the petitioners who have been arrested in connection with F.I.R. No.222/2024 registered at Police Station Sameja Kothi, District Anupgarh, for offences under Sections 3/25 (1B-a), 8 and 5/25 of the Arms Act.

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

Learned counsel for the petitioners submitted that the co-accused Sandeep Kumar from whose conscious possession, one country-made pistol was recovered, has already been enlarged on bail by the competent criminal court. Learned counsel submitted that the illegal firearm was not recovered from the conscious possession of the present petitioners. Learned counsel submitted that since the co-accused Sandeep Kumar from whose conscious possession, the illegal firearm was recovered, has already been enlarged on bail, the petitioners also deserve to be enlarged on bail as their case is not distinguishable/worse than the case of co-accused Sandeep Kumar.

Lastly, learned counsel submitted that the petitioners are in judicial custody 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 opposed the bail applications. However, he was not in a position to refute the fact that the co-accused Sandeep Kumar from whose conscious possession, one country-made pistol was recovered, has already been enlarged on bail by the competent criminal court.

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 of BNSS (439 Cr.P.C.) are allowed. It is ordered that the accused-petitioners **(1) Ajay @ Ajay Dev S/o Balraj and (2) Satpal @**

S.P. S/o Gopi Ram arrested in connection with F.I.R. No.222/2024 registered at Police Station Sameja Kothi, District Anupgarh, 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

70-Tikam/-