HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Miscellaneous Bail Application No. 191/2025

Kishan Singh S/o Nag Singh, Aged About 27 Years, R/o Ketu Hama, P.s. Shergarh, District Jodhpur. (At Present Lodged At Central Jail Jodhpur)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s)	:	Mr. Neel Kamal Bohra
For Respondent(s)	:	Mr. Urja Ram Kalbi, P.P. Mr. Akash Goyal, for complainant

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HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

07/01/2025

1. This application for bail under Section 483 BNSS (Section 439 Cr.P.C.) has been filed by the petitioner who has been arrested in connection with F.I.R. No.260/2024 registered at Police Station Shergarh, District Jodhpur Rural, for offences under Sections 189(2), 308(4), 127(2), 115(2), 117(2), 126(2), 140(3) of BNS.

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

3. Learned counsel for the petitioner submitted that co-accused Aarti @ Aru (S.B. Cr. Misc. Bail Application No.14180/2024) has already been enlarged on bail by this Court vide order dated 03.01.2025. Learned counsel further submitted that case of the present petitioner is not distinguishable with that of the case of the co-accused Aarti @ Aru, who has already been enlarged on bail.

4. Lastly, learned counsel for the petitioner submitted that the petitioner is in judicial custody; investigation against the present petitioner has already been completed and the trial of the case will take sufficiently long time to be concluded in the near future and the prosecution has not shown any apprehension of the petitioner influencing the material prosecution witnesses of the case or tampering with the evidence or fleeing away from justice, in case he is enlarged on bail.

5. Per contra, learned Public Prosecutor as well as learned counsel for the complainant have opposed the bail application. However, he was not in a position to refute the fact that the above named co-accused person has already been enlarged on bail.

6. Having considered the rival submissions, facts and circumstances of the case, this Court *prima facie* finds that case of the present petitioner is not worse than the case of the above named co-accused person, who has already been enlarged on bail. Thus, without expressing any opinion on merits/demerits of the case, this Court is inclined to enlarge the petitioner on bail.

7. Consequently, the bail application under Section 483 BNSS (Section 439 Cr.P.C.) is allowed. It is ordered that the accused-petitioner **Kishan Singh S/o Nag Singh** arrested in connection with F.I.R. No.260/2024 registered at Police Station Shergarh, District Jodhpur Rural, shall be released on bail, if not wanted in any other case, provided he furnishes a personal bond of Rs.50,000/- and two sureties of Rs.25,000/- each, to the satisfaction of learned trial court, for his 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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