**HIGH COURT OF JUDICATURE FOR RAJASTHAN**
**AT JODHPUR**

S.B. Criminal Miscellaneous Bail Application No. 2244/2025
CNR: RJHC010182272025 | URN: CRLMB / 4745U / 2025

Sandeep S/o Rajkumar, Aged About 28 Years, R/o Bheni Bhera P.s. Maham Dist. Rohtak, Haryana (At Present Lodged In Central Jail, Udaipur)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 7681/2026
CNR: RJHC010574142026 | URN: CRLMB / 16904U / 2026

Vikas S/o Shri Vijendra Singh, Aged About 29 Years, R/o Village And Post Kharkhara, Police Station Meham, District Rohtak Haryana (Lodged In Dist. Jail Udaipur)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

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| For Petitioner(s) | : | Mr. Ramawatar Singh<br>Mr. S.K. Bhati |
| For Respondent(s) | : | Mr. Shriram Choudhary, PP |

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**HON'BLE MR. JUSTICE SUNIL BENIWAL**
**Order**

**07/08/2026**

1. These applications for bail have been filed by the petitioners under Section 483 of BNSS (old Section 439 of Cr.P.C.). The requisite details of the matter are tabulated herein below:

| S.No. | Particulars of the Case | |
|---|---|---|
| 1. | FIR Number | 0084/2024 |
| 2. | Date of lodging FIR | 21.03.2024 |

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|---|---|---|
| 3. | Concerned Police Station | Bhupalpura |
| 4. | District | Udaipur |
| 5. | Offences alleged in the FIR | Sections 302, 394, 454, 34 of IPC. |
| 6. | Offences added, if any | Sections 449, 397 of IPC and 3/25 of the Arms Act. |

2. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case. The petitioner – Sandeep and petitioner – Vikas are in judicial custody since 29.03.2024 and 02.04.2024, respectively. He submits on account of the interim order dated 29.10.2025 passed in S.B. Criminal Revision Petition No.1261/2025, the trial has been stayed and therefore, the petitioners cannot be kept in judicial custody for indefinite period, more so, when the interim order is obtained by the complainant.

2.1. So far as petitioner – Sandeep is concerned, learned counsel submits that the allegation against the petitioner is that he was keeping an eye outside the shop wherein crime-in-question was committed and was informing about the situation to the co-accused against whom the allegation of actual commission of crime is levelled. He submits that the petitioner has been made accused merely on the basis of suspicion, whereas he has neither any connection with the other co-accused nor he has any connection with the crime in question.

2.2. So far as petitioner – Vikas is concerned, learned counsel submits that the principal allegation of committing the offence under Section 302 IPC is levelled against co-accused Ashish and the stolen articles have already been recovered therefore, no recovery is to be made from the petitioner.

2.3 He also submits that there are as many as 53 witnesses, however, till date none of the witnesses have been examined and the trial has been stayed by this Court, therefore, it is apparent that the trial will take sufficiently long time.

Based on the above submissions, it is submitted that the petitioners deserve to be enlarged on bail.

3. Per contra, learned Public Prosecutor vehemently opposes this bail application and submits that the petitioners along with co-accused Ashish came in a preplanned manner from Haryana and stayed together in a hotel which is fortified from the CCTV footage procured from the hotel as well as the statement of the Manager of the hotel. Later, all three went to the jewelry shop, where the incident occurred. The petitioner – Sandeep was keeping watch while standing outside the shop with walkie-talkie and was in constant touch with the petitioner – Vikas and other co-accused Ashish, who went inside the shop and attacked the deceased. The deceased sustained as many as 23 injuries, out of which 15 injuries have been opined to be grievous in nature and dangerous to life in the PMR report.

3.1. He further submits that a pistol, mobile of the deceased and walkie-talkie were recovered from the petitioner – Sandeep and therefore, his involvement in the crime-in-question prima facie cannot be ruled out.

3.2. So far as petitioner – Vikas is concerned, the jewelry looted from the shop was recovered from Vikas and same has been identified by the deceased’s son Chirag. The presence of petitioner - Vikas committing the crime – in – question alongwith co-accused

Ashish, is recorded in the CCTV footages, wherein they are brutally attacking the deceased and then stealing the jewellery from the shop.

Based on the above submissions, it is submitted that the petitioners are not entitled to be enlarged on bail.

4. Heard learned counsel for the parties and perused the material available on record.

5. Having considered the rival submissions, facts and circumstances of this case and after perusing the challan papers so also considering the fact that the incident is recorded in the CCTV footages, wherein two co-accused were seen to have brutally attacked on the deceased and looted the shop; the petitioner – Sandeep had a walkie-talkie and was updating the co-accused who went inside the shop to carry out the crime – in – question; the CCTV installed at hotel so also the statement of the Manager of the hotel reflect that all three accused persons including the petitioners came from Haryana and stayed together in a hotel; the trial has been stayed by this Court vide order dated 29.10.2025 passed in S.B. Criminal Revision Petition No.1261/2025, however, this fact alone cannot be a ground for enlarging the petitioners on bail, more so, considering the fact that there is ample evidence to prima facie indicate the involvement of the present petitioners so also considering the nature of the crime involved in the present case and the manner in which, the petitioners and other co-accused Ashish attacked in a preplanned manner, without further commenting on merits /

demerits of the case, this Court is not inclined to enlarge petitioners on bail at this stage.

6. Accordingly, the bail applications are dismissed.

(SUNIL BENIWAL),J

1&2/RAKESH MATHUR