

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Criminal Miscellaneous Bail Application No. 17446/2021

Kadu Meena S/o Ramcharan Meena, Aged About 32 Years, R/o
Vill. Mandavar, P.s. Khandar, Dist. Sawaimadhopur (Raj)

----Petitioner

Versus

State Of Rajasthan, Through Public Prosecutor.

----Respondent

For Petitioner(s) : Mr. Tarun Jain

For Respondent(s) : Mr. Riyasat Ali, PP

**HON'BLE MR. JUSTICE FARJAND ALI
Order**

30/11/2021

The present bail application has been filed under Section 438 Cr.P.C. in connection with FIR No.255/2021 registered at Police Station Mantown, District Sawaimadhopur (Raj.) for the offence under Sections 457, 380, 411 & 414 of IPC.

Learned counsel for the petitioner submits that it is admitted case of the prosecution that he has not been found involved for the accusation of house breaking and committing theft of alleged articles. He submits that overall investigation of the Agency is based upon the statement of co-accused-Rukamkesh etc. who, in their confessional statement given to the Police Inspector stated that mobile phone, stolen from the shop of the complainant, was hidden by them in a "Bada" (in open plot), consequent there upon the stolen property came to be recovered from that place at the instance of co-accused-Rukamkesh. Thus, he prays that there is nothing, on the basis of which, the involvement of the petitioner can be presumed.

Learned Public Prosecutor has opposed the anticipatory bail application.

Heard gone through the case diary as made available by the counsel for the State. The contentions made by the counsel of the petitioner are verified to some extent from the facts as narrated in the case diary.

Thus, considering the submissions made by the counsel for the petitioner but without commenting on the merits of the case and observing that custodial interrogation of the petitioner is not required and nothing is to be recovered from him, I deem it appropriate and proper to enlarge the petitioner on anticipatory bail.

Consequently, the application for anticipatory bail is allowed.

The SHO/IO/Arresting Authority, Police Station Mantown, District Sawaimadhopur in the aforesaid FIR is directed that in the event of arrest of the petitioner **Kadu Meena S/o Ramcharan Meena**, he shall be released on bail, provided he furnishes personal bond in the sum of Rs.50,000/- with two sureties in the sum of Rs.25,000/- each to his satisfaction on the following conditions:-

- (i) that the petitioner shall make himself available for interrogation by a police officer as and when required;
- (ii) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or any police officer, and
- (iii) that the petitioner shall not leave India without previous permission of the court.

(FARJAND ALI),J