

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

S.B. Criminal Miscellaneous Bail Application No. 9042/2022

Dharmendra Mewara S/o Kishan Lal, Aged About 30 Years, R/o House No. 1, Ambeywadi, Nanta Road, Naya Kheda, Kunhadi, Police Station Kunhadi, District Kota At Present Lodged In The District Jail, Bundi.

----Petitioner

Versus

State Of Rajasthan, Through Public Prosecutor.

----Respondent

Connected With

S.B. Criminal Miscellaneous Bail Application No. 9823/2022

Tushar Mittal @ Chulbul S/o Harishankar, Aged About 20 Years, R/o Sarahechuhar, Police Station Fatehpur, District Agra, Presently Naval Kishore Sharma Ka Makan, Suman Vihar Third, House No. 34, Balita Road, Kunhadi Police Station Kunhari District Kota (Raj.) (At Present Confined In District Jail Bundi, Distt. Bundi)

----Petitioner

Versus

State Of Rajasthan, Through PP.

----Respondent

S.B. Criminal Miscellaneous Bail Application No. 10207/2022

Vikas Chawla @ Badal S/o Gajanand, Aged About 29 Years, Resident Of House No- 30 Balaji Town Second, Balita Road, Kunhari Kota (Rajasthan)
(At Present Accused Is Judicial Custody At Central Jail Kota)

----Accused-Petitioner

Versus

State Of Rajasthan, Through P.P.

----Respondent

For Petitioner(s) : Mr. Ashvin Garg
Mr. Waseem Akram
Mr. Rajesh Gadwal

Mr. Pradeep Mathur
For Respondent(s) : Mr. Nenaram Saharan, PP

HON'BLE MR. JUSTICE FARJAND ALI

Order

05/07/2022

1. These instant bail applications have been filed under Section 439 Cr.P.C. on behalf of accused-petitioners-Dharmendra Mewara S/o Kishan Lal, Tushar Mittal @ Chulbul S/o Harishankar & Vikas Chawla @ Badal S/o Gajanand. The petitioners have been arrested in connection with FIR No.178/2022 registered at Police Station Keshorai Patan, District Bundi for the offence(s) under Sections 341, 143, 323 & 307 of I.P.C.
2. Learned counsel for the petitioners submits that false cases have been foisted against the petitioners. They have nothing to do with the alleged offence(s) and no useful purpose would be served by keeping them behind the bars. There was no previous animosity. There was no pre-concert for making an attempt to kill the victim rather the guys were enjoying the birthday party. Neither the circumstances nor the injuries received by the victim bring the matter within the purview of Section 307 of I.P.C. The co-accused person of this case has already been granted bail.
3. Per contra, learned Public Prosecutor opposed the bail application.
4. Considering the arguments advanced by the counsel for the parties and looking to the possibility that the trial may take long time to conclude, this court deems it just and proper to enlarge the petitioners on bail.

5. Accordingly, the bail applications under Section 439 Cr.P.C. are allowed and it is ordered that the accused-petitioners, named above, shall be enlarged on bail provided each of them furnishes a personal bond in the sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the learned trial Judge for their appearance before the court concerned on all the dates of hearing as and when called upon to do so.

(FARJAND ALI),J

RAJAT KUMAR /52-53 & 167

