

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

S.B. Criminal Miscellaneous Bail Application No. 7485/2023

Akshay S/o Shri Vijay Singh, Aged About 28 Years, R/o Kalana, Police Station Ganore, District Sonipath, Haryana. (At Present Confined In District Jail, Sikar (Raj.)

----Petitioner

Versus

State Of Rajasthan, Through Pp

----Respondent

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For Petitioner(s) : Mr. Rajneesh Gupta

For Respondent(s) : Mr. Sher Singh Mahala, PP

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**HON'BLE MR. JUSTICE ANIL KUMAR UPMAN (V. J.)  
Order**

**30/06/2023**

1. Petitioner has filed this bail application under Section 439 of Cr.P.C.
2. F.I.R. No.32/2023 was registered at Police Station Khatushyamji, District Sikar, for offences under Sections 307, 353, 279, 336 of IPC and Section 3 of Rajasthan Prevention of Defacement of Property Act, 2006.
3. Learned counsel appearing for the petitioner has submitted that petitioner has been falsely involved in this case. It is further submitted that no person has sustained any injury in this matter and police has misused the powers in arresting the petitioner. It is also contended that all other cases which have been shown in the impugned order are in relation to theft. It is further contended that petitioner is in custody since 27.02.2023. Charge-sheet has been filed and trial will take considerable time.
4. Learned Public Prosecutor has opposed the bail application

and submits that 19 other criminal cases have been registered against the petitioner and petitioner is a habitual offender, therefore, the bail should not be granted to the petitioner.

5. I have considered the contentions.

6. Considering the overall facts and circumstances of the case especially the fact that no person has sustained any injury in this matter and also considering the period of custody, I deem it proper to allow the present bail application.

7. This bail application is accordingly allowed and it is directed that accused-petitioner shall be released on bail provided he furnishes a personal bond in the sum of Rs.50,000/- (Rupees Fifty Thousand only) together with two sureties in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each to the satisfaction of the learned Trial Court with the stipulation that he shall appear before that Court and any court to which the matter is transferred, on all subsequent dates of hearing and as and when called upon to do so.

8. However, it is made clear that the petitioner shall not involve in similar offence(s) during pendency of bail granted by this Court. The petitioner is further directed to mark his presence in the concerned police station on first Monday of every month, till trial is concluded. If breach of this condition is reported or come to the notice of the Court, the same shall alone be a reason for the trial court to cancel the bail granted to him by this Court.

(ANIL KUMAR UPMAN (V. J.)),J